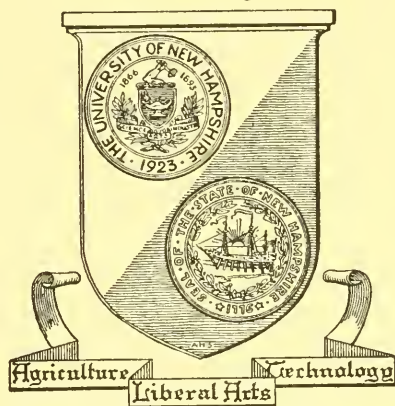


Library of



The University
of
New Hampshire

JOURNAL
OF THE
HONORABLE SENATE
JANUARY SESSION OF 1965

11/11
3-0-14
11-5-23
17-5-23
11-10-14
1-12-14
12-15
1-1
10-6-2

EVANS PRINTING COMPANY
CONCORD • NEW HAMPSHIRE

JOURNAL

OF THE

HONORABLE SENATE

WEDNESDAY, January 6, 1965

The Clerk called the Senate to order.

The Clerk announced that the Senate would be in Recess until 12:30.

(Recess)

The Senate reassembled.

The Clerk proceeded to call the Roll.

Senators Lamontagne, Martin, Mitchell, Lamprey, Johnson, Gardner, Howard and Lewis replied as being present.

Senator Lamprey inquired of the Clerk: May I inquire if the gentleman who answered from the 8th District is James M. Lewis?

The Clerk replied in the affirmative.

Senator Lamprey then moved that the oath of office not be administered to Mr. Lewis pending inquiry into his qualifications, there being a petition on file.

Senator Martel: Has the Senator from the 8th District been notified?

Clerk: I have a petition in my hands.

Motion carried. No opposition.

Senator Martel: I move to deny taking the oath of office by the Senator from the 5th District on the premise there is a problem relating to his right to take his seat under the Constitution.

Clerk: I have failed to receive any paper noting same.

(Senator Martel hands the Clerk and members a paper.)

Senator Lamprey: I would submit to the Senate the fact that there will be an opportunity for a full hearing in regard to any question of qualifications relative to the member from the 5th District. I do not know for sure, but I believe the Clerk has just been handed a petition. I submit to the Senate that this petition does not qualify at the present time under RSA, Chapter 67 and, therefore, I would hope the Senate would disregard the motion made by the Senator from the 17th District and vote on the issue.

Senator Martel: I would like to read the same Chapter 67, page 553, subsections 4 and 5.

“Limitation. In a contested election case the contestants shall not be entitled to a hearing unless their remonstrance or petition shall be presented to the senate or house before the second Wednesday of the first session thereof; but, for good cause shown, the senate or house may thereafter entertain the same.

“Evidence. Neither party shall be entitled to have any evidence considered before the committee which is not in readiness to be submitted before the third Wednesday of the first session of the legislature; but, for good cause shown, such committee may receive and consider evidence subsequently offered.”

Under these condititions, I fail to see why you should in one instance deny one of our elected members the right to take the oath as I have presented this evidence to you now. We still have another week to go. I see no reason how you can adequately refuse to go along with this motion and I would urge the members of this body to vote in favor.

Senator Lamprey: Might I ask the Senator from District No. 17 to read the supplement of RSA 67, section 1.

Senator Martel: That supplement is as follows:

“Notice. Whenever any person intends to contest the election of a senator or a representative he shall give to him a notice in writing of such contest, with the reasons thereof. Said notice shall be given by certified mail, return receipt requested, postmarked on or before December

fifteenth next following the election. At the time the notice is given to the senator or representative a copy thereof shall be forwarded to the secretary of state."

I know what the statutes say. I received this information two weeks ago last Sunday. I do not contest the gentleman from Hanover has not been elected. The facts will attest to that. But I contest his right to sit in this body in this Chamber, on the premise he has violated the Constitution. When he filed his application, he signed his name under that paragraph where he stated he had been a resident of this State seven years immediately prior to the election.

Senator Lamprey: I suggest the member is out of order to go into the merits at the present time and I would ask the Clerk for a vote relative to whether or not the Senator from the 5th District shall be entitled to receive the oath.

Senator Martel: Since when are we not given the privilege of bringing forth in this Chamber any information we possess that the members of this body may vote intelligently?

Senator Johnson: This document is the first notice I have received from any person concerning the challenge to my seat. The first notice I have received! The statutes of this State very clearly say that by December 15, 1964, notice must have been given to me. Let me assure you this body will have an opportunity to go to the merits of this case. You will have your chance to go to the merits of this case. I would not stand in your way for one minute — but I am fully qualified. I have a right to be sworn in and at the appropriate time, the Senator from the 17th District will have his chance. But I have a right to be sworn in right now.

Clerk: Question on the motion.

Senator Martel: Demanded a Roll Call.

Senator Waterhouse requested the motion again.

Senator Martel repeated: I move that the Senator from the 5th District be denied his right to take his oath of office at the present time pending the evidence before this body at this time. I demand a Roll Call.

The following named Senators voted in the affirmative: Lamontagne, Lewis, Blaisdell, Paquette, Riley, Martel, Provost, Bergeron, Preston and Foley.

The following named Senators voted in the negative: Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Gove, English, Buchanan, Rinden, Green, Waterhouse and Tufts.

Ten Senators having voted in the affirmative and thirteen Senators having voted in the negative, the motion was lost.

Senator Lamprey inquired if the Senator-elect from the 23rd District was present.

The Senator-elect from the 23rd District replied in the affirmative.

Senator Lamprey: The gentleman that answered from District No. 23, Robert F. Preston — then I move that the oath of office be not administered to Robert F. Preston, pending inquiry into his qualifications, there being a petition on file contesting his election.

Senator Martel: I hope the members of this body will vote this down on the same premise that the opposition will deny the taking of the oath of office on the part of the member from the 8th District. They refuse in the case of the 5th District, and the law does not supersede the Constitution and I protest against this action by the body relating to the gentleman from Hanover. I would hope the members would vote the motion down.

Senator Lamprey: Again, I would submit to the Senator that the petition is not in conformity with the law. The difference between the petition as submitted relative to the qualifications of the member from the 23rd District, in my opinion, is in accordance with the law, while the petition against the member from the 5th District was not according to law. This being a body that makes laws, I would hope we would comply with them and I would hope that we would vote that Mr. Robert F. Preston not take the oath of office. It would be a yes vote on this motion.

Senator Martel: Does it make any difference whenever an offense is committed — if it is committed on one day or 10 days later?

Senator Lamprey: I submit that those that have interested themselves in challenging the qualifications of the member from the 23rd District have complied with the law while the petition that has been circulated through the Senate does not comply with the law. However, I would say we would deny no

man the right to be heard before the full Senate at the proper time and I would join everyone here in saying at the proper time we will have a full hearing, if you so desire, on the member from District No. 5.

Senator Martel demanded a Roll Call.

The following named Senators voted in the affirmative: Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Gove, English, Buchanan, Rinden, Green, Waterhouse and Tufts.

The following named Senators voted in the negative: Lamontagne, Lewis, Blaisdell, Paquette, Riley, Martel, Provost, Bergeron, Preston and Foley.

Thirteen Senators having voted in the affirmative, and ten Senators having voted in the negative the motion carried.

Senator Martel: I wish it to be registered in the Journal that I protest the taking of the oath by the gentleman from Hanover.

The Clerk stated this would be done.

The Clerk proceeded to finish calling the Roll for attendance:

Districts 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23 and 24.

District 21 absent.

(Recess)

The Senate reassembled.

At that time, on the first Wednesday in January, in the year of our Lord, one thousand nine hundred and sixty-five, being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble at the Capitol in the City of Concord in said State, and His Excellency the Honorable John W. King, Governor, having come into the Senate Chamber, took and subscribed the oaths of office, and were duly qualified as Senators agreeably to the provisions of the Constitution, namely:

District No. 1. Laurier A. Lamontagne

District No. 2. Eda C. Martin

District No. 3. Lester C. Mitchell, Sr.

District No. 4. Stewart Lamprey

- District No. 5. William R. Johnson
District No. 6. Edith B. Gardner
District No. 7. Nelson E. Howard
District No. 8. James M. Lewis
District No. 9. William P. Gove
District No. 10. Clesson J. Blaisdell
District No. 11. Robert English
District No. 12. Creeley S. Buchanan
District No. 13. Louis W. Paquette
District No. 14. Richard D. Riley
District No. 15. Paul A. Rinden
District No. 16. Dorothy Green
District No. 17. Louis I. Martel
District No. 18. Paul E. Provost
District No. 19. Thomas Waterhouse, Jr.
District No. 20. Lucien Bergeron
District No. 21.
District No. 22. J. Arthur Tufts, Jr.
District No. 23. Robert F. Preston
District No. 24. Eileen Foley

His Excellency, the Governor, withdrawing, the Senate was called to order by Benjamin F. Greer, Clerk of the 1963 session of the Senate.

The Clerk declared the Senate of 1965 open for business.

The first order of business being the election of a temporary presiding officer.

On motion of Senator Howard, duly seconded, and unanimously voted, Senator Gove was declared the temporary presiding officer.

The Clerk requested Senators Howard and Blaisdell to escort Senator Gove to the rostrum.

Senator Gove presiding.

Next order of business, the election of the President of the Senate.

Senator Buchanan: It is a great pleasure and honor to present in nomination for President of the Senate, Stewart Lamprey, Senator from the 4th District. He is one of the very few men of the higher echelon of our Party who has distinguished himself by his continued loyal support of Party and good civic government. He will be a monument of guidance to us in the trying days ahead in conducting the business of this august body.

Senator English: For the reasons that have been stated, I would like to second the nomination. I would like to add, to me the great importance of experience the candidate has for this high office. The importance is to us here in the Senate in the conduct of our business and also of benefit to the State of New Hampshire.

Senator Riley: I would like to present in nomination the name of Louis I. Martel as President of the Senate. He has been a member of the House for 8 sessions and was Minority leader in the Senate last session, and I feel is very well qualified.

On motion of Senator Mitchell, duly seconded, the nominations were declared closed.

Senator Paquette inquired if this would be by ballot vote.

Senator Johnson moved, seconded by Senator Tufts, that this vote be taken on a Roll Call vote.

Senator Martel spoke against this motion, stating that he felt it was a proper function to vote by secret ballot. He stated that it has been the custom in the past to do it this way.

The Chairman: The motion is that we have a Roll Call vote by the Clerk calling the name of each Senator.

Senator Waterhouse spoke in support of the motion.

Senator Bergeron spoke against the motion.

On a *viva voce* vote, the affirmative prevailed.

On this motion, Senator Martel demanded a Roll Call.

The following named Senators voted in the affirmative: Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Gove, English, Buchanan, Rinden, Green, Waterhouse and Tufts.

The following named Senators voted in the negative: Lewis, Blaisdell, Riley, Martel, Provost, Bergeron, Preston and Riley.

Senators Lamontagne and Paquette passed.

Senator Martel: What about passing?

The Chair: Not done.

Thirteen Senators having voted in the affirmative, and eight Senators having voted in the negative, the affirmative prevailed, and the motion for election by Roll Call vote carried.

The Clerk proceeded to call the Roll.

The following named Senators voted for Stewart Lamprey: Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Gove, English, Buchanan, Rinden, Green, Waterhouse and Tufts.

The following named Senators voted for Louis I. Martel: Lamontagne, Lewis, Blaisdell, Paquette, Riley, Martel, Provost, Bergeron, Preston and Foley.

Thirteen Senators having voted for Lamprey and ten Senators having voted for Martel, Lamprey was declared elected.

On motion of Senator Martel, seconded by Senator Blaisdell, the Senate voted to make the vote unanimous in favor of Senator Lamprey.

Senators Martin, Green and Martel named to escort Senator Lamprey to the rostrum.

Senate President Lamprey expressed his thanks and appreciation:

"Now that the election has been concluded, I want to express my sincere gratitude and thanks to each and every member of this Senate. I know we are going to have a most fruitful Senate. It has been my privilege for 6 years to have been the Speaker of the New Hampshire House and a member of that body for 12 years. However, as I move to the Senate, I look forward to being able to be a little more productive as far as work is concerned and I know each and every Senator here will offer his cooperation because cooperation in the Senate is going to be an absolute necessity. I will do my very best as far as rulings are concerned. However, the Chair will not rule on parlia-

mentary situations in advance. We will, however, answer parliamentary inquiries as to procedure at any time. We would also state we will be available at parctically any time of the day or night to consult with any member relative to parliamentary questions. I want to again thank the Senate for those courtesies extended to me this afternoon. Thank you."

Resolution

Senator Johnson offered the following Resolution and moved its adoption:

Resolved, That all the rules, excepting rules number 25 and 36, as adopted by the Senate on January 8, 1963, as amended, and the following new rules number 25 and 36 be adopted as the rules of this present session unless otherwise ordered, and be it further resolved that further amendments to the rules of the Senate if presented for consideration at any time prior to January 14, 1965 may be adopted by a majority vote of the Senate.

25. The following standing committees, to consist of five members each, unless otherwise stated, shall be appointed at the commencement of any session, a Committee on Agriculture; a Committee on Banks and Insurance and Claims; a Committee on Education; a Committee on Executive Departments, Municipal and County Governments; a Committee on Finance, to consist of seven members; a Committee on Fisheries and Game; a Committee on Interstate Cooperation, one member of which shall be the President; a Committee on Judiciary, to consist of seven members; a Committee on Labor; a Committee on Liquor Laws; a Committee on Military and Veterans' Affairs; a Committee on Resources, Recreation and Development; a Committee on Public Health, Welfare and State Institutions; a Committee on Public Works and Transportation; a Committee on Ways and Means to consist of seven members; a Committee on Rules, to consist of three members, one member of which shall be the President.

36. The staff of the Senate shall be composed of the following attaches to be elected by the Senate — a clerk, an assistant clerk, a Senate counsel, a Senate recorder, a sergeant-at-arms, a messenger, a doorkeeper; and the following attaches who shall be appointed by the President of the Senate: an assistant

messenger. Such stenographic and other clerical assistants as the President of the Senate may deem necessary shall be appointed by the clerk.

A. The clerk of the Senate shall be the chief administrative officer in charge of all attaches and clerical help in the Senate and is responsible to the President for the proper administrative functioning of the staff. The clerk shall also be responsible for appearances of notices in the Journal and the make-up of the appendix to the Journal.

B. The assistant clerk shall handle and care for all bills, resolutions and documents of the Senate and record same in the docket. In the absence or incapacity of the clerk of the Senate, he shall be the acting clerk.

C. The counsel to the Senate shall be a lawyer whose duties shall be to act as legal counsel to the Senators rendering them assistance in the preparation of bills and amendments and such other legal advice as they may request pertaining to their duties as senators; and to the President in the execution of his duties as the presiding officer.

D. The Senate recorder shall keep accurate detail and account of what transpires when the Senate is in session and shall be responsible for the preparation of the Journal, in addition to whatever other duties the clerk may designate.

E. The sergeant-at-arms shall have as his responsibility the supervision of the work of the messenger and doorkeeper, working with them to see that their duties are performed with precision and dispatch; he shall also perform the regular duties of a sergeant-at-arms when the Senate is in session.

F. The messenger, who shall sit in a chair in front of the desk of the clerk, shall attend to the needs of the Senators during the session and perform such other duties as the sergeant-at-arms shall designate.

G. The doorkeeper shall perform such duties and shall have such responsibilities as shall be prescribed to him by the sergeant-at-arms.

H. The assistant messenger shall sit beside the messenger and his duties shall be assigned to him by the sergeant-at-arms.

I. The duties of such other stenographic and clerical assistants as the Senate may have shall be prescribed by the clerk of the Senate.

Senator Johnson explained the Resolution in detail: "These changes which are very long in being given to you are actually very simple in what they are designed to set forth. Rule 25 concerning the Committees — there are only two changes. Banks and Insurance has been joined with Claims. The Committee on Public Works has been added and joined with Transportation. The reasons for this change are simply this; with the great number of committees that we have, there is great difficulty in finding the time to attend all the hearings, etc. and many have a conflict in being able to attend. These changes pertain to matters which are very similar in nature, etc. Rule 36 — one basic change here — the separation of the job of Senate Counsel and Assistant Clerk. It creates two separate jobs. The reasons are, it is the belief that the Senate Counsel, who is a lawyer and draws the bills for this body, should be given as much time as possible to perform the duties of Senate Counsel. It requires a great deal of time to do it well. It was felt that the time spent as Assistant Clerk could be much better spent in the legal end. As it is now, in the event of the illness of the Clerk, the Senate Counsel must serve as Clerk. The position of Assistant Clerk takes care of that. I would move these changes."

Senator Martel: First, permit me to ask a question: Was majority vote in the resolution?

Senator Johnson: Up to January 14, 1965, by majority vote of the Senate.

Senator Martel: Does this in substance change any of the vote where a two-thirds vote is required?

The Chair: If the Senate in its wisdom sees fit to make any changes before January 14th, it may do so by majority vote. Majority vote until January 14th. After January 14th, it would require a two-thirds vote.

Senator Martel: Has this been the policy of this body in the past?

The Chair: In searching the Journal of the 1963 session, the Chair found that the Senate operated without Rule 13 several days and in the House, it has been the custom that the

House shall operate for a time to allow any member to bring in changes by majority vote.

Senator Martel: I am hesitant to vote for that part of the Resolution which would call for a simple majority. I believe that a vote is always sufficiently important to require a two-thirds vote. It does not give us assurance that any changes in the Senate rules would necessarily be made by two-thirds vote, but by majority vote.

The Chair: That is not the interpretation of the Chair. The Chair would state that on and after January 14th, in order to suspend or change a rule, that it would require a two-thirds vote. The only reason is that it might be desirable to leave it open for this 3 legislative days to allow any Senator to oppose any rule change which might be adopted by a majority vote.

Senator Johnson: I would simply say that this date of January 14, 1965 was made because of a desire to be particularly fair to persons who may have perhaps not had an opportunity to examine the rules and look into them fully. This was made in an attempt to be fair and more than fair to look over the rules. It was an excess of fairness I believe, that led us to this conclusion. This afternoon, we can adopt rules by majority vote. Perhaps some Senators had not come here prepared to examine the rules. We felt that in fairness to all the Senators, perhaps we should give them more time to examine same.

Senator Martel: Does it still require a two-thirds vote to change a rule?

Senator Johnson: After January 14th, a two-thirds vote will be required.

Senator Martel: Will the Chair entertain an amendment.

The Chair: The Chair will entertain an amendment from any Senator at any time, but it must be in writing.

At the request of Senator Martel, the Chair declared a five minute Recess.

(Recess)

Senator Martel offered the following amendment to the Resolution:

Amend the Resolution by striking out in the first paragraph in lines 4, 5, 6 and 7, all the words following the word "ordered" in line 4 so that said paragraph as amended shall read as follows:

Resolved, That all the rules, excepting rules number 25 and 36, as adopted by the Senate on January 8, 1963, as amended, and the following new rules number 25 and 36 be adopted as the rules of this present session unless otherwise ordered.

(Discussion ensued)

The amendment was adopted.

The Resolution as amended was adopted.

Resolution

Senator Martin offered the following Resolution which was unanimously adopted:

Resolved, That Benjamin F. Greer as Clerk, Wilmont S. White as Assistant Clerk, Arthur G. Marx as Counsel to the Senate, Esther T. Hurd as Senate Recorder, Arthur R. Goodfellow as Sergeant-at-Arms, Richard Odell as Doorkeeper, and Herbert Howe as Messenger be elected by acclamation.

Thereupon the above appeared, signified their acceptance to the office to which they were elected respectively, and were duly sworn to the faithful discharge of their duties before the President.

Resolution

Senator Gove offered the following Resolution:

I move that all actions, including votes on any matter, taken prior to the election of the permanent presiding officer since the senators-elect were called to order today by the Clerk be made a part of and be printed in the Journal of the Senate.

Senator Martel spoke against the Resolution. Stated that what had transpired before the Senators took the oath of office should not be included in the Journal proceedings of the Senate and sees no reason to include it in the legal procedure.

Senator Johnson: At the time this body met prior to being sworn in, we each came here with a certificate of election. We

took certain action. This action was duly recorded and it is my opinion that it would be well to have this action set forth in the Journal of the Senate and I would, therefore, urge that the motion of Senator Gove be voted by a yes vote.

Senator Lamontagne: I would like to rise and give my reason why I shall vote against this motion. I was not in my seat at the beginning of the Senate getting together and I did not know when we were to reconvene. I was near by. I was in the House. I would have been able to get here and give my viewpoint on the three people involved. As far as I am concerned, none of us were sworn in until after. That is why I am in opposition to having this matter written into the records. I wish to have entered into the record what I was going to say before all of you. This is what I would have said if I had known that you people here had gotten together to have this meeting. When I came in, you were in the process of voting. I wish to have this on the record because I am well aware of the Constitution. I am also well aware of the law as far as filing for challenging individuals. Personally, I feel that along with the law, you must use good common sense. That is what I have learned in the five sessions that I have already served. I feel that regardless of Party affiliation, none of these people have ever been challenged during the election, but still these people have won by majority vote.

Senator Martel: Would the President agree that this matter that Senator Gove wishes to have recorded has no legal status whatsoever?

The Chair: That is not a proper inquiry.

Senator Martel: In order to reiterate my remarks that I made earlier, "Limitation. In a contested election case the contestants shall not be entitled to a hearing unless their remonstrance or petition shall be presented to the senate or house before the second Wednesday of the first session thereof; but, for good cause shown, the senate or house may thereafter entertain the same. Evidence. Neither party shall be entitled to have any evidence considered before the committee which is not in readiness to be submitted before the third Wednesday of the first session of the legislature; but, for good cause shown, such committee may receive and consider evidence subsequently offered." (RSA 67, p. 553, subsections 4 and 5.) The oath of office

that has been administered to us by the Governor today—I, therefore, feel that the earlier procedure has no legal value and should not be in the Journal.

Senator Foley: I would like to ask if this would be a change of rules. I would presume that somewhere there must be a rule. Would this be a change?

The Chair would state that he has accepted the motion of Senator Gove. It is now up to the vote of the Senate.

Senator Foley: A simple or two-thirds majority?

The Chair: A simple majority. Motion has been accepted by the Chair and is in order.

Senator Johnson: It is my understanding that the motion before the Senate is the motion of Senator Gove. If you are in favor, you would vote yes?

The Chair: That is correct.

On this motion, Senator Martel requested a Division vote.

Twelve Senators having voted in the affirmative, and ten Senators having voted in the negative, the Resolution was adopted.

Resolution

Senator English offered the following Resolution:

Resolved, That the Secretary of State be requested to furnish the Senate with the official return of votes from the various Senatorial Districts of the State.

The above Resolution was adopted.

The Secretary of State Appeared

The Honorable Robert L. Stark, Secretary of State, appeared and presented the return of votes for Senators from the various Senatorial Districts, as returned to the Secretary's office.

Petitions

The Chair requested the Clerk to read the following two Petitions:

To the Honorable Senate:

James A. Saggiotes of Newport in the County of Sullivan respectfully represents:

1. He was a candidate for Senator from District No. 8 at the biennial election held November 3, 1964.

2. According to the returns, the persons for whom votes were cast and the votes cast for each were as follows:

James A. Saggiotes	5,745
James M. Lewis	6,315

3. James M. Lewis on November 3, 1964 had not been an inhabitant of this state for seven years immediately preceding the election.

4. The Constitution, Part II, Article 29, provides: "that no person shall be capable of being elected a senator * * * who shall not have been an inhabitant of this state for seven years preceding his election."

5. The said James M. Lewis was incapable of being a candidate and the votes cast for him are ineffectual for any purpose.

6. Your petitioner received the highest number of votes legally cast and is entitled to represent District No. 8 in the Senate.

7. Prior to December 15, 1964, your petitioner gave written notice to said James M. Lewis of his intention to contest said seat and filed a copy thereof with the Secretary of State as required by RSA 67.

Wherefore James A. Saggiotes prays that he may be adjudged entitled to represent District No. 8 in the Senate, and that he may be seated as a Senator; and for such other relief as may be just.

James A. Saggiotes, *Petitioner*

To the Honorable Senate:

Douglass E. Hunter, Sr. of Hampton in the County of Rockingham respectfully represents:

1. He was a candidate for Senator from District No. 23 at the biennial election held November 3, 1964.

2. According to the returns, the persons for whom votes were cast and the votes cast for each were as follows:

Douglass E. Hunter, Sr.	3,186
Robert F. Preston	5,062

3. Robert F. Preston on November 3, 1964 had not been an inhabitant of this state for seven years immediately preceding the election.

4. The Constitution, Part II, Article 29, provides: "that no person shall be capable of being elected a senator . . . who shall not have been an inhabitant of this state for seven years preceding his election."

5. The said Robert F. Preston was incapable of being a candidate and the votes cast for him are ineffectual for any purpose.

6. Your petitioner received the highest number of votes legally cast and is entitled to represent District 23 in the Senate.

7. Prior to December 15, 1964, your petitioner gave written notice to said Robert F. Preston of his intention to contest said seat and filed a copy thereof with the Secretary of State as required by RSA 67.

Wherefore Douglass E. Hunter, Sr. prays that he may be adjudged entitled to represent District No. 23 in the Senate, and that he may be seated as a Senator; and for such other relief as may be just.

Douglass E. Hunter, Sr. *Petitioner*

Resolution

On motion of Senator Buchanan, the following Resolution was adopted:

Resolved, That the return of votes from the several Senatorial Districts be referred to a select Committee of Three with instructions to examine and count the same and report to the Senate where any vacancies exist or notices of contests pursu-

ant to RSA 67 have been filed and if so, in what Senatorial Districts.

Pursuant to the above, the President appointed as members of said Select Committee of Three, Senators Rinden, Green and Provost.

Resolution

On motion of Senator Foley, the following Resolution was adopted:

Resolved, That until otherwise ordered, the Senate will meet at 11 o'clock in the forenoon and at 2 o'clock in the afternoon.

Resolution

On motion of Senator Martel, the following Resolution was adopted:

Resolved, That the Clerk be instructed to procure the services of four stenographers to perform such duties as may be assigned to them.

Pursuant to the above, the Clerk announced the appointment of Lee D. MacCleery, Jean M. Lyster, Beverly A. Nelson, and Carol Berkson as Senate Stenographers for the session.

Resolution

On motion of Senator Mitchell, the following Resolution was adopted:

Resolved, That all bills and resolutions reported by the Committee, with the exception of new bills originating in the Committee, shall be handed to the Clerk who shall cause a list of said bills and joint resolutions to be published in the Calendar of the daily Journal, together with a report of the Committee previous to their presentation to the Senate.

Resolution

On motion of Senator Waterhouse, the following Resolution was adopted:

Resolved, That the Clerk of the Senate be authorized to furnish at the expense of the State during the session of 1965 two such newspapers printed within the State to the members and officers of the Senate as such members and officers may select and to the Governor and Council.

Resolution

On motion of Senator Mitchell, the following Resolution was adopted:

Resolved, That the President of the Senate be authorized to appoint a Telephone Messenger and an Assistant Messenger for the ensuing session.

Pursuant to the above, the President appointed Polly Johnson as Telephone Messenger and Elwyn Wyman as Assistant Messenger.

The Chair recognized Senator Martel who stated he wished to make a statement relative to the member from the Fifth District.

The Chair stated: I would state that there is no motion before the Senate at the present time. Nothing on the calendar. It is the opinion of the Chair that this question will, at the proper time, be discussed at length and the Chair would respectfully request that such discussion will be held at that time."

Senator Martel inquired: "Do I have the assurance that this will be taken up at the same time as that of the Senator from the 8th District and the 23rd District?"

The Chair: "I cannot answer that with assurance, but I see Senator Johnson is on his feet."

Senator Martel: "I do not wish to discuss the matter with Senator Johnson. Were two petitions brought by the Clerk a few minutes ago?"

The Chair: "The communications will be read. I understand that he has been given a copy of the Resolution which will be put before the Senate at the proper time."

Senator Johnson, under personal privilege: "I want to assure Senator Martel that this day will not be finished before this matter has been heard."

Resolution

On motion of Senator Gardner, the following Resolution was adopted:

Resolved, That the President of the Senate be authorized to appoint an Assistant to the President and a Secretary to the President.

Pursuant to the above, the President appointed Nathan A. Tirrell as Assistant to the President and Cynthia H. Kirby as Secretary to the President.

The Chair declared a 10 minute Recess.

(Recess)

The Senate reassembled.

House Message

Mr. President:

The House of Representatives has organized by the choice of Walter R. Peterson as Speaker, Francis W. Tolman as Clerk, J. Milton Street as Assistant Clerk, Lloyd E. Fogg as Sergeant-at-Arms and Bertha E. Boutwell of Concord, Florence T. Gould of Wentworth Location, Randolph Milligan of Newbury, Herbert R. Richardson of Randolph and Mary T. Vey of Brentwood as Doorkeepers.

The Senate joined the House in Joint Convention for the election of Secretary of State and Treasurer.

(Joint Convention)

The Senate in regular session.

Committee Report

The select committee to whom was referred the returns of votes for Senators from the several districts having attended to their duties and having examined the returns made to the Secretary of State and the records in the office of said secretary, report that they find the state of the votes returned from the several districts as follows:

First District

Laurier Lamontagne, Berlin, d and r	9,468
-------------------------------------	-------

Second District

Eda C. Martin, Littleton, r	4,294
Alton A. Potter, Northumberland, d	4,212

Plurality for Martin	82
----------------------	----

Third District

Lester E. Mitchell, Sr., Campton, r	5,184
Richard L. Bradley, Thornton, d	3,913

Plurality for Mitchell	1,271
------------------------	-------

Fourth District

Stewart Lamprey, Moultonborough, r	5,927
Lawrence Walsh, Wolfeboro, d	2,692

Plurality for Lamprey	3,235
-----------------------	-------

Fifth District

William R. Johnson, Hanover, r and d	10,381
--------------------------------------	--------

Sixth District

Edith B. Gardner, Gilford, r	4,477
B. Donald Tabor, Laconia, d	3,973

Plurality for Gardner	504
-----------------------	-----

Seventh District

Nelson E. Howard, Franklin, r	5,679
John Chapley, Franklin, d	4,689

Plurality for Howard	990
----------------------	-----

Ninth District

William P. Gove, Concord, r	7,124
-----------------------------	-------

Tenth District

A. Harold Kendall, Surry, r	4,567	
Clesson J. Blaisdell, Keene, d	5,511	
	<hr/>	
Plurality for Blaisdell		944

Eleventh District

Robert English, Hancock, r and d		10,494
----------------------------------	--	--------

Twelfth District

Creeley S. Buchanan, Amherst, r	7,819	
Isabelle Hildreth, Nashua, d	7,692	
	<hr/>	
Plurality for Buchanan		127

Thirteenth District

Judith A. Levesque, Nashua, r	3,872	
Louis W. Paquette, Nashua, d	12,773	
	<hr/>	
Plurality for Paquette		8,901

Fourteenth District

Russell R. Carter, Hooksett, r	5,840	
Richard D. Riley, Hooksett, d	7,018	
	<hr/>	
Plurality for Riley		1,178

Fifteenth District

Paul A. Rinden, Concord, r and d		8,357
----------------------------------	--	-------

Sixteenth District

Dorothy Green, Manchester, r		4,210
------------------------------	--	-------

Seventeenth District

Louis I. Martel, Manchester, d and r		18,810
--------------------------------------	--	--------

Eighteenth District

Paul E. Provost, Manchester, d and r		10,525
--------------------------------------	--	--------

Nineteenth District

Thomas Waterhouse, Jr., Windham, r	8,437	
Delbert F. Downing, Salem, d	6,550	
	<hr/>	
Plurality for Waterhouse		1,887

Twentieth District

Maurice E. Marsan, Rochester, r	4,081	
Lucien E. Bergeron, Rochester, d	9,202	
	<hr/>	
Plurality for Bergeron		5,121

Twenty-first District

Paul G. Karkavelas, Dover, r	7,551	
Helen A. Desjardins, Rollinsford, d	5,405	
	<hr/>	
Plurality for Karkavelas		2,146

Twenty-second District

J. Arthur Tufts, Jr., Exeter, r	7,292	
Francis J. Lavoie, Epping, d	5,428	
	<hr/>	
Plurality for Tufts		1,864

Twenty-fourth District

Robert E. Whalen, Portsmouth, r	2,731	
Eileen Foley, Portsmouth, d	3,891	
	<hr/>	
Plurality for Foley		1,160

And finds that the foregoing named Senators are qualified and should be seated.

"In District No. 8 the apparent plurality is in favor of James M. Lewis. Your committee is informed that James M. Lewis was not an inhabitant of this state during the seven years preceding the election and therefore that there is a doubt as to his eligibility to serve, because of the provisions of Article 29, Part II of the Constitution. James A. Saggiotes, the other candidate, has filed a petition claiming the seat. Your committee recommends that the question arising out of the election in the Eighth District be referred to the Senate as a Committee of the Whole for determination, and that neither candidate be seated pending such determination.

"In District No. 23 the apparent plurality is in favor of Robert F. Preston. Your committee is informed that Robert F. Preston was not an inhabitant of this state during the seven years preceding the election and therefore that there is a doubt as to his eligibility to serve, because of the provisions of Article 29, Part II of the Constitution. Douglass E. Hunter, the other candidate, has filed a petition claiming the seat. Your committee recommends that the questions arising out of the election in the Twenty-Third District be referred to the Senate as a Committee of the Whole for determination, and that neither candidate be seated pending such determination."

Senator Paul A. Rinden, Dist. No. 15

Senator Dorothy Green, Dist. No. 16

Senator Paul E. Provost, Dist. No. 18

The report was accepted.

The Chair inquired of the Clerk if he had received a Petition relative to the Senator from the 5th District.

The Clerk replied in the affirmative and stated that same was on his desk.

The Clerk read the following Petition:

William R. Johnson, Hanover, N. H.

1. To be eligible to take his seat in the State Senate, Mr. Johnson must have been a resident of New Hampshire since November 3, 1957.
2. On *May 5, 1958*, he applied for admission to the New Hampshire Bar. He stated that he was *not* a resident of New Hampshire at that time but that he intended to become one on or about June 1, 1958.
3. On August 20, 1958, he wrote the Clerk of our Supreme Court stating that he had established residence at 58 Lyme Road, Hanover, N. H.
4. On November 28, 1959, he registered to vote in Hanover, N. H.
5. On his Bar application, he listed domiciles as follows:

Excelsior, Minnesota	1930-1949
Hanover, N. H.	1949-1953
Cambridge, Mass.	1953-1954

Perryville, Maryland	Oct., 1954-Feb., 1955
Ft. Campbell, Kentucky	Feb., 1955-Sept., 1956
Arlington, Mass.	Sept., 1956-June, 1958

6. The residence in Hanover, N. H., 1949-1953, occurred while he was a student at Dartmouth College. Even if this were to qualify as bona fide residence, it would do him no good. Article 29, Part 2, of the N. H. constitution states that "No person shall be capable of being elected a senator, who is not of the age of thirty years, and who shall not have been an inhabitant of this state for seven years immediately preceding his election and at the time thereof he shall be an inhabitant of the district for which he shall be chosen." By his own admission, Mr. Johnson does not meet this requirement.
7. Mr. Johnson, on July 16, 1964, signed an affidavit declaring his intention to become a candidate for State Senate in the 5th District stating: "I, William R. Johnson, candidate for the office of Senator for the Fifth District, hereby certify that I am at least thirty years of age, have been an inhabitant of the state of New Hampshire for at least seven years immediately preceding the election at which I am a candidate and at the present time am an inhabitant of Senatorial District No. 5.

Signed s/s William R. Johnson"

8. Mr. Johnson must certainly be aware of these facts. Since he has not come forward to admit it, we can only conclude that he is intentionally violating the oath he has taken as a member of the Bar and of the General Court. Considering this violation, I demand that the Honorable Senate refuse to seat Mr. Johnson, and call for a special election to elect a qualified senator in the Fifth District.

Louis I. Martel
Senator, 17th District

Senator Martel moved that the Committee Report be amended so that Mr. Johnson be found not qualified and should not be seated and that a vacancy be declared in the 5th District and that a special election should be held in that district.

Senator Martel: I respectfully urge the members of the Senate to adopt the motion that I have just offered on the basis that I have imparted to each member of this body. I do not contest that Senator Johnson was not elected by the people of that District, but I do state that by testimony which he had given at one time to the Clerk of the Supreme Court on his application that he was not a resident of N. H. at that time. That he intended to become one on or about June 1, 1958. On August 20, 1958, he wrote to the Clerk of the Supreme Court that he intended to establish residence in Hanover. In 1959, he registered to vote in N. H. You have heard what he listed on his application as to various places where he had lived. In his application for the Senate, he also signed that portion of the application with relation to 30 years of age and I have been an inhabitant of the State for at least 7 years. I have made further investigation. I cannot find any record to indicate that Senator Johnson has voted in Hanover prior to the time he registered to vote in 1959. What may I to assume? He was in Minnesota in 1949. At Cambridge and Arlington — his name is listed as a resident of those 2 places — but he was not registered as a qualified voter. I have yet to find where he has voted in any other place but Hanover. On November 28, 1959, he admits at that time that he was not a resident, what are we to assume? If he was not a resident, then the Constitution is very clear on this matter, and I feel that under the circumstances, the seat should be denied and a special election called. I know what the law says about the deadline of December 15. I will say again that I did not possess this information until two weeks ago last Sunday. Senator Johnson did not like it and took issue with me that I did not take this matter up with him. Two weeks ago last Sunday, I was told of this matter. I received it a week ago last Monday and I gave it to the press. If we are to deny the seat to our members from the 8th and 23rd Districts, how can we allow another to be seated and then deny the seat to the other two.

Senator Johnson: The time has now come to get the merits of this case. I would be the last person to ask that I have a seat here when the Senate has not gone to the merits of this case. I must confess that as I came here today, and as I stand here, I honestly feel that there has been some violation of our basic concepts of fair play which is the backbone of our jurisprudence. Senator Martel has stated that a week ago Sunday,

he had this information. I got a leak as to this information at noon today. About 12:25 this afternoon — 5 minutes before I came here — was the first chance I had to review my bar application. I really feel that I should have been given an opportunity to know as to what they were going to base their case on. I know now why I was not told.

I would like to talk first of all about the spirit of the law which we have in our State — relative to the 7 years of inhabitancy. The person who drafted this legislation felt that a person to run for the Senate should have lived in the State for 7 years and so understand the problems of this State. I came to N. H. in 1949 as a student. I have actually lived within the boundaries of this State for over 10 years. The law requires 7 years.

I should like to go through my connection with New Hampshire and tell you about myself, because this is the key as to whether or not I have been an inhabitant for seven years. I came here in 1949 as a freshman at Dartmouth College, on a full scholarship, which paid my tuition and extra funds for my room. I worked for my board. I was on my own all the time I was at Dartmouth College. A person who is on his own financially may pick up a new domicile. I lived here from 1949 to 1953 and I learned to love this State and I made up my mind to stay here. In 1952, I had now turned 21, and this then was my first chance to vote. When it came time to vote for Dwight Eisenhower, I went down to see the Town Clerk to vote. The Town Clerk said, "No, we have an absolute policy that students cannot vote." I thus missed out in voting in 1952. I would like to present to the Senate an affidavit.

(Presents Affidavit which Clerk reads.)

Affidavit

I, Harley H. Camp, of Etna, Town of Hanover, County of Grafton, State of New Hampshire, having been duly sworn, depose and say:

1. That in 1952 I was a Supervisor of the Checklist in Hanover, New Hampshire, serving as the Chairman.

2. That in 1952 William R. Johnson came to me and stated that he wanted to register to vote and that he intended to make Hanover his permanent home. He said that he was a student

at the College and I then told him that the long-established policy of the Supervisors of the Checklist of Hanover was to not allow an unmarried student, such as he, to vote, and for this reason he was not registered.

In witness whereof, I have set my hand and seal to this Affidavit on this 4th day of January, 1965.

Harley H. Camp

Subscribed and sworn to before me this 4th day of January, 1965.

Grace E. Copeland
Notary Public

I tried to vote in this State in 1952. I might add here that my wife came from a small town in Minnesota, called Excelsior. I persuaded her to come here to live. She went to school in Vermont. In 1953, I left Hanover to attend Harvard Law School. Here again, I had a scholarship given me by Harvard Law School and also a fellowship from Dartmouth College which together paid my expenses. When I left the town — I was living at a tax-paying residence — I left my personal library, some clothes and furniture at this residence. I would ask the Clerk to read this affidavit:

(Presents Affidavit which Clerk reads.)

I, Walter Plante, of Wilder, County of Windsor, State of Vermont, having been duly sworn, depose and say:

1. That in June of 1953 I was the janitor at the C & G House in Hanover, New Hampshire. At that time William R. Johnson, who had lived at the house and was graduating, left some of his books, clothing and furniture at the house and asked me if I would keep my eye on it for him. He said that he would be returning to Hanover to live after service and law school. From time to time thereafter he brought additional goods to be stored at the house and sometimes took goods with him.

2. When he came back to Hanover in June of 1958, he picked up the property he had left there.

In Witness Whereof, I have set my hand and seal to this Affidavit on this 5th day of January, 1965.

Walter G. Plant

Subscribed and sworn to before me on this 5th day of January, 1965.

William R. Johnson, *Justice of Peace*

I personally took his oath last night at 10:30 because no other notary was available. I took his oath for better or worse.

In 1954, at the end of my first year in Law School, I had completed my ROTC training. I traveled up to Burlington, Vermont, where my wife was graduating from college, and took her down through Hanover and left some of her things at this storage place. In 1954, we were married and I entered the service immediately thereafter and served two years. Coming back from that, I went immediately back to Law School. In the summer of 1957, my wife and I decided that our last chance to see the West would be that summer and we took off on a camping tour to the western states, and then went back to Minnesota, picked up the last of our wedding gifts, like the souffle dishes, etc., from my wife's parents, and brought them back to Hanover where these goods were once again added to the property that was stored in Hanover in anticipation of our return. I will say again that Hanover has a policy not to let students vote because of previous difficulties caused by students attending town and school meetings. The town was firm in its belief that students were not going to vote in that town and were not going to register their cars either. In September of 1957, when in Hanover, I tried to register my car. They told me, "you are a student and we don't do it."

(Presents Affidavit which Clerk reads.)

Affidavit

I, Marion E. Guyer, of Hanover, County of Grafton, State of New Hampshire, having been duly sworn, depose and say:

1. I am presently the Town Clerk of the town of Hanover and that in 1957 I was an employee in said office.

2. In September of 1957 William R. Johnson came to my office and asked to register his car. He said he had been a Dartmouth student from 1949 to 1953 and that he intended to return to Hanover the following June to practice law after he finished his final year at Harvard Law School. He said he was storing a good deal of his personal property in his old residence in Hanover and had previously tried to vote here, and that he felt he was qualified to register his car.

3. I told Mr. Johnson that the policy of the town at that time was to not register student vehicles and that he would have to wait until he returned to Hanover and for this reason I did not register his car.

In Witness Whereof, I have set my hand and seal to this Affidavit on this 5th day of January, 1965.

Marion E. Guyer

Subscribed and sworn to before me this 5th day of January, 1965.

Grace E. Copeland, *Notary Public*

In the Fall of 1957, I made application to the law firm of which today I am a partner. It is the only application for a job that I made. At Harvard Law School there are law firms coming in there from all parts of the country. I took no interviews. I was determined to come back to Hanover, N. H. and practice law there and that is exactly what I did. When I left Hanover, I left an account with the Dartmouth Savings Bank.

(Presents Affidavit which Clerk reads.)

Affidavit

I, Maurice C. Aldrich, of Norwich, County of Windsor, State of Vermont, having been duly sworn, depose and say:

1. That I am President of the Dartmouth Savings Bank, a mutual savings bank located in Hanover, New Hampshire. I was Secretary and Treasurer of the bank from 1935 until 1955. From 1955 until approximately 1961 I was President and Treasurer of the bank. Since 1961 I have been President of the bank.

2. I have examined our records relating to accounts standing in the name of William R. Johnson. I find that on October

22, 1951 he opened account Number 37438 which he maintained until June 10, 1952, when the account was withdrawn. On October 6, 1952 he opened account Number 38169, which he maintained continuously until February 12, 1960, when the account was transferred to a new account in his name, which he maintains at the present time. Our records indicate that William R. Johnson has maintained an account in the Dartmouth Savings Bank continuously from October 6, 1952 to the date of this affidavit.

In witness whereof, I have set my hand and seal to this Affidavit on this sixth day of January, 1965.

Maurice C. Aldrich

Subscribed and sworn to before me on this sixth day of January, 1965.

Charlotte M. Bielanowski

That , my colleagues, is the essence of my case. I came here, and I decided to make it my home. I wanted to come back and I did come back. I cannot think of a better way to test a man's intention than by what he does. The tests for a domicile are that you are physically present, you are making it your home, and your intention is to come back there. That is also the essence of "inhabitation." Senator Martel has said that he has been unable to find that I have voted anywhere else. If he had asked me about it, I would have told him. Now, I am going to tell you something that I don't have to tell. In 1956, I voted in Minnesota because I was so doggoned mad at Hanover for not having let me vote previously in Hanover. I didn't have to tell you this since, in checking, we have found the records there have been destroyed. I am telling you everything because I am convinced that I am qualified. The law says voting is only one indication of your domicile. This matter comes up mainly in tax matters involving the taxation of estates. If Charles Officer were to have died last Spring, you can be sure the State of New Jersey would have claimed he was domiciled there and claimed a tax due.

Senator Martel: Point of order. We are not talking about Officer.

Senator Johnson: Strike that out. Once I picked up that residence in Hanover, I did not lose it by going into the mili-

tary service or by going to law school. We have a statute that says that.

Now comes the key case. The key decision. As I have said before, the town of Hanover refused to allow an unmarried student to vote. In 1964, a student at the college decided that he would bring suit against the town. He was going to vote in Hanover and he was going to prove it. He brought suit. In that case, *McCord v. Hanover*, the Supervisors of the Checklist in answer to the petition which was filed, stated that it had been the consistent practice for the supervisors to deny the right to vote to persons who were in Hanover studying at the college. In January of 1964 then, Herbert McCord brought suit against the town of Hanover. The Superior Court decided that he had the right to vote, and that the town of Hanover had been wrong. In a written opinion, the Court found that Herbert McCord had a right to vote. My research has revealed numerous cases involving students being allowed to establish a domicile. When this case came down, I then said to myself, there is no question that I qualify as a domiciliary going back to my 1952 days when I was a student. But to be certain, I came down here to Concord and talked with the Attorney General. I gave him all the facts—the ones that you can find and the ones that you cannot find. The Attorney General told me that he could not give me an official ruling—that is up to the Senate to decide—but that he felt I was qualified. I then filed for office.

I don't care when you start counting my residence, whether in 1949, 1952 when I tried to vote, or 1957 when I clearly indicated my intention to return to Hanover—it is all within the 7 year inhabitance required.

(Senator Johnson explained the legal difference between inhabitance, domicile and residence by reading from *American Jurisprudence* and *Corpus Juris*.)

Senator Johnson: A person may have a residence that is temporary. A person can have two residences—one in Florida and one in New Hampshire. You can have only one domicile. A residence may be anything from a temporary residence to a permanent abode. Domicile is where you reside and plan to make your home.

Now let's look at this petition filed by Senator Martel. He refers to my bar application and you will see, from reading this

form, that the Supreme Court desires to learn where you are then living, at what street address, and where you have lived in the past. Why do they want to know this? So the Court can check with the police and others to see if you have been in any trouble. This is protection for the public. I did not fill out the section beginning with "residing in" because it calls for a street number and address and implies they want your present address for purposes of this character check.

You will notice that the petition of Senator Martel is misleading. It says I listed "domiciles" in Cambridge, Mass., Perryville, Maryland, etc. This is not what the form says at all. (Reading form along with Sen. Martel.) The form says to list the places where the applicant has "lived or been domiciled." They have conveniently left off the words "lived or" and this makes all the difference. This is an attempt to deceive the Senate and to deceive me. I now know why they didn't want to give me a chance to compare my bar application with their petition prior to this hearing before the Senate.

The very purpose of the Bar Association application is to find out what I was doing in Maryland. If I was the sort of person who ought to be in the Bar Association.

I only had one domicile, from 1952, and that was in Hanover. I had no domicile in Maryland or any of those other places.

I won that seat in the 5th District with an awful lot of hard work. I am convinced that I am entitled to keep it. I am qualified. I would hope the Senate would vote no on this motion.

Senator Martel: Taking note of the remarks just made by the Senator from the 5th District, I would say among other things that opening a bank account does not make you an inhabitant of that place. He also admitted that he voted in Minnesota in 1956. I hold no personal grudge against the Senator from the 5th District and God is my witness to that. My only interest is that we follow the Constitution. We cannot go against the principles of the Constitution. We deny seats to two and yet allow this to one. Is that fair? I do not think so. If the records have been destroyed — very convenient.

Senator Buchanan: I rise in support of the Senator from the 5th District. I would make a few personal comments with

respect to his evidence. It would seem that issue has been decided in accordance with the *McCord* case. I would disagree with Senator Martel. If a student would open a bank account and leave it for as long as Senator Johnson did, then he must have had some intention to go back. I don't know many college students that leave bank accounts all over the country. It can hardly be sensible to list your domicile at Fort Campbell, Ky. — would not think of making Ky. his domicile. It would seem to me as a layman — there is no doubt but what he intended to make New Hampshire his residence.

Senator English spoke in support of Senator Johnson: For a period of 21 years I was employed by the government of the United States and was concerned much of the time with the legal aspects of residence, a frequent point involved in immigration and passport cases. Residence is the point involved in this case. Intention determines residence, as has already been brought out. In cases in which I am familiar such evidence regarding intention as has already been presented in the case of Senator William Johnson would be compelling and would be ruled upon favorably.

One further point, I believe Federal Statutes require all citizens to be a resident in some state. I have heard no evidence presented indicating a residence other than Hanover.

To me the evidence supporting intention to reside in New Hampshire is overwhelming.

Question being on motion of Senator Martel.

On this question, Senator Martel demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Lamontagne, Lewis, Blaisdell, Paquette, Riley, Martel, Provost, Bergeron and Foley.

The following Senators voted in the negative: Martin, Mitchell, Johnson, Gardner, Howard, Gove, English, Buchanan, Rinden, Green, Waterhouse, Tufts and Preston.

Nine Senators having voted in the affirmative and thirteen Senators having voted in the negative, the negative prevailed, and the motion was lost.

The report of the Select Committee was adopted.

On motion of Senator Mitchell, the Senate refused to reconsider its vote whereby the report of the Select Committee was adopted.

On motion of Senator Gardner, the Senate voted to resolve itself into a Committee of the Whole, to consider the petition and contests relative to the seating of the Senator from District No. 8 and the seating of the Senator from District No. 23 and that while the Senate is acting as a Committee of the Whole, the Chamber shall be cleared of all persons except its officers, counsel for any of the persons who are parties to the above two contests and members of the press, provided, however, that the gallery shall remain open, and that such counsel be permitted to present argument and evidence if desired and to examine witnesses subject to such rules as may be ordered.

(Committee of the Whole, Sen. Johnson in the Chair.)

(The Chair inquired if the parties were represented by counsel, he was advised that Attorney Richard Upton represented Mr. James A. Saggiotes, Attorneys William Phinney and Richard Morse represented Mr. Douglass E. Hunter, Attorney Wilfred Sanders, Jr., represented Senator Robert F. Preston, and Senator James M. Lewis advised the Chair that he did not want an attorney. Evidence was then presented pro and con relative to the contests in both Districts 8 and 23 but no transcript was kept.)

The Senate reassembled in regular session.

Resolution

Senator Howard offered the following Resolution:

Resolved, That James M. Lewis was not eligible to be elected Senator from District No. 8, as he had not been an inhabitant of this state seven years preceding the last election, as required by the Constitution.

Further resolved, That James A. Saggiotes, being the only qualified candidate with a plurality of the votes, be adjudged entitled to represent District No. 8 in the Senate and that he be seated as such Senator.

Senator Martel: I cannot take issue with the evidence presented in the case relative to the 8th District. Sufficient evidence

has been produced to show that he was not qualified to sit. However, I cannot vote for the motion presently pending because of the latter part of the Resolution asking, which is by precedent, because in my humble capacity as a State Senator and by serving over the years, I do not feel we are serving the interests of the people of the 8th District by seating a man who does not carry the support of a majority of the voters of the 8th district. I feel that it would be better to declare a vacancy and hold a special election. If my own Party asked me to do this, I would not do it. They should be entitled to vote once again in the 8th District.

Senator Foley inquired if it would be possible for this Resolution to be taken up in 2 parts. Stated that the first is question of Lewis not being eligible and the second, how should the vacancy be filled if such a vacancy exists. Stated that she would split her vote if this might be done.

The Chair, after consultation with the Senate Counsel, stated his ruling that in light of the fact that the Senator who introduced the Resolution desires not to have the Resolution divided, the only way would be by a vote of the Senate.

Senator Martel stated that being the case, he would make such a request, and so moved. Seconded by Senator Foley.

Senator Martel: I just wish to once again repeat my previous stand that I cannot in good conscience vote for the latter part of the Resolution now pending. I do not question the evidence submitted by the Senator from District No. 7. If the motion by the Senator from District No. 7 could be divided, I would vote and would urge my colleagues to vote to unseat the Senator from the 8th District. But if the Senator from District No. 7 does not wish to separate the Resolution, I will ask for a Division vote on the Resolution.

Senator Johnson spoke against such request.

Senator Johnson: This Senate is not unlike a court. We have had in the past situations arise which are very similar to the situation which we have here at this time. It is interesting to note that in these past cases, the Senate has, both parties included, voted to seat the person who was in the contest if the person who won the seat in the first instance was disqualified. I would hope that the Senate would vote no on the motion the Senator from District No. 17 has made.

Question being on motion of Senator Martel to divide the Resolution.

On this motion, Senator Martel requested a Division vote.

Ten Senators having voted in the affirmative, and twelve Senators having voted in the negative, the negative prevailed, and the motion was lost.

Question now being on adoption of the Resolution offered by Senator Howard.

On a *viva voce* vote, the Resolution was adopted.

On motion of Senator Buchanan, the Senate refused to reconsider its vote above.

The Chair recognized Mr. Lewis, who inquired: "Will you recognize the ex-Senator from the 8th District under personal privilege? Is this the point at which you would like to have me leave?"

The Chair replied in the negative and further stated that it was not necessary for him to withdraw.

Resolution

Senator Gove offered the following Resolution:

Resolved, that Robert F. Preston was not eligible to be elected Senator from District No. 23 as he had not been an inhabitant of this state for seven years preceding the last election, as required by the Constitution.

Further resolved, that Douglass E. Hunter, Sr., being the only qualified candidate with a plurality of the votes, be adjudged entitled to represent District No. 23 in the Senate and that he be seated as such Senator.

Senator Johnson presiding.

Senator Foley spoke against the Resolution: All afternoon and morning, we have been hearing all this about residence and intention. Mr. Preston went to St. Anselm's and not Dartmouth and he went to Durham. I suppose he said the same. Whether he was helping a family in another state, voting in another state, or whether he stayed at the restaurant with a bedroom in the back. What difference does it make? His inten-

tion was always to come back to Hampton. I see no difference. I was interested in the matter of directories. These directories are not even as good as a telephone book. I have been in these residence fights before. One week before the election, the residence of my mother was questioned. I was up on the witness stand. Her place of residence was questioned and she lost her Senate seat by one vote. I think these are things that we should look at with our conscience. The people of Hampton gave him a wonderful vote in a Republican area. If the town of Hampton can do it, I cannot see why 24 good people here cannot do it. I have a clipping from the paper where Mr. Hunter said he (Preston) had won. We thought he really was a wonderful loser. Mr. Preston is a good man coming up in the world. Perhaps to take the place of our Governor, John King. Maybe that is why they thought that. We will fight the very best we can on his case. Some people leave their wedding presents and their books — Mr. Preston has a restaurant. I don't see how you people in your conscience can vote one way and then another. When I came in here this morning, we all had our cards and name plates, but Mr. Preston, he had neither. Why did he not get such treatment? At least, for one day. This is the first time I have gotten up and maybe I have spoken too loudly but I feel very strongly and I hope that you people in this Senate will find it in your hearts to put my colleague where he belongs.

Senator Blaisdell spoke against the Resolution: This has been quite a day. I referee basketball games — and I gave that up to come over here. I am glad that Senator Johnson chose my State to come to from Minnesota. I would state to you that this name of Robert F. Preston has been on the checklist in Hampton since 1952 and that gives him the right to vote in that town and makes him a resident of that town. I am a supervisor of the checklist in Keene. I hope that you people will not make it a matter of Republican or Democrat. Search your conscience and vote the man the seat that he deserves. I have voted the straight Party line today. I don't intend to do it all the time. I certainly hope that you as Senators, high and important people, a group that I am very proud to be among, take this man's qualifications into consideration.

Senator Lamprey spoke in support of the Resolution: Quite frankly, I am impressed and I like the caliber of Mr. Preston. But more is involved here than likes, etc. You must

consider the rights of a legislative body and that is what we must do here today. It is the weight of evidence. Let us just review for a minute the facts that I have heard set forth today. As far as I can see, Mr. Preston moved to New Hampshire in August of 1964. This is when he brought his family to Hampton. Is it possible for you to claim your business residence in the town of Hampton and your family residence in Massachusetts? Is it conceivable that your children go to school in Massachusetts and that you pay your poll tax in Massachusetts and your head tax in New Hampshire? The fact of the matter is that he called himself a resident of Massachusetts for the income tax which was paid to the Boston office instead of the Portsmouth office where residents of the State of New Hampshire is paid in Portsmouth. As far as automobile registration and licenses are concerned — they show Massachusetts addresses and I submit to this body to judge the weight of the evidence. I am not going to stand here and say that he came to Hampton or New Hampshire when it was decided that he should run for the 23rd District seat. But I maintain that he was not a resident in Hampton prior to August of 1964. I think he has an interest in politics and let's hope he keeps it. This is only one facet that we must consider. I realize that in some towns, it is downright tough to get on the checklist and in other towns, it is as loose as can be. I have made some inquiries and have found out that at this time, it was not difficult to get on the Hampton checklist and I don't think the Party designation made any difference. I compliment him on his interest in civic affairs, but this is different. This is something you join to improve the business climate. I belong to the Chamber of Commerce of Laconia and also in Center Harbor, both outside of my own county. It is for the improvement in the business climate that people take an interest in the Chamber of Commerce. Therefore, I submit to this Honorable body that the vote should be in compliance with the Constitution as we must comply with it as compliance with the law and the procedures of this State. Maybe it is something we don't like to do, but I think the weight of evidence makes it mandatory.

Senator Lamontagne spoke against the Resolution: I have heard several times this evening about these licenses of Massachusetts and I would like to mention that I have right now a Massachusetts license. Two years ago, I had a son that was involved in Massachusetts and was driving back and forth to New

Hampshire and was forced to buy a Massachusetts registration. Therefore, I know that Mr. Preston is telling the truth. This matter was straightened out by Mr. Goldsmith who connected with the Motor Vehicle Department at that time.

Senator Preston: I shall not belabor you people for much longer. I can see that things will be interpreted as we speak the way we want to hear them. I have maintained that same address for 12 years in the town of Hampton and I don't want you to interpret this as a six weeks' stay. In the past twelve years, I have spent much more time in New Hampshire than elsewhere. Whether my interests be here with politics or business — has caused an inconvenience. I do have an interest in politics in New Hampshire and you here today deny me that right. When the town of Hampton has accepted me going back over these 12 years. Would you deny me this right or am I to be as a man without a country with no place to run for office or the legislature?

Senator Bergeron spoke against the Resolution: Earlier today, apparently some of my colleagues interpreted the Constitution of this State different than I did. I voted against them, but 13 or 14 prominent people have showed me the light so that I am now ready to vote along the lines that they did earlier today.

Question being on adoption of Resolution.

On this question, Senator Martel demanded a Roll Call.

The following named Senators voted in the affirmative: Martin, Mitchell, Lamprey, Gardner, Howard, Gove, English, Buchanan, Rinden, Green, Waterhouse and Tufts.

The following named Senators voted in the negative: Lamontagne, Blaisdell, Paquette, Riley, Martel, Provost, Bergeron, Preston and Foley.

Twelve Senators having voted in the affirmative, and nine Senators having voted in the negative, the affirmative prevailed, and the Resolution was adopted.

Senator Martel: "Under personal privilege, I am very disturbed my fellow colleagues at the way you have voted. In this case, majority makes right. I am very sorry. Apparently what is good for the goose is not good for the gander."

The President in the Chair.

Senator Gardner moved reconsideration of the vote on the above resolution.

On this question, Senator Martel demanded a Roll Call.

The following Senators voted in the affirmative: Lamon-tagne, Blaisdell, Paquette, Riley, Martel, Provost, Bergeron, Preston and Foley.

The following Senators voted in the negative: Martin, Mitchell, Johnson, Gardner, Howard, Gove, English, Buchanan, Rinden, Green, Waterhouse and Tufts.

Nine Senators having voted in the affirmative, and twelve Senators having voted in the negative, the negative prevailed, and the motion to reconsider was lost.

Resolution

Senator Rinden offered the following Resolution.

Resolved, for the purpose of having in the record, the law as it has been presented to date on this question relative to contested seats, the brief submitted by Mr. Upton, (the Phinney and Sanders briefs, if any) to the committee of the whole be printed in full in the Journal.

The Chair stated that this referred to briefs and not any other written memoranda.

Senator Bergeron spoke against the printing in the Journal, but suggested that same should be kept on file — less expensive than to print in Journal.

Senator Rinden stated that he had reference to the brief prepared by Attorney Upton.

Senator Martel inquired if other material from other counsel would be included.

The Chair replied in the affirmative.

Senator Johnson stated that only one brief had been presented — that of Attorney Upton — the papers from the other counsel were depositions, not briefs.

The Resolution offered by Senator Rinden was adopted.
To the Honorable Senate:

**Memorandum in Support of
the Petition of James A. Saggiotes
to be Seated as Senator for District No. 8**

The Senate is the sole judge of the qualifications of its members but, in deciding the qualifications, must be governed by the Constitution. The Constitution, Part II, Article 35, provides that:

“The Senate shall be final judges of the elections, returns and qualifications, of their own members, as pointed out in this constitution.”

This provision, while committing to the Senate the power to judge the election and qualifications of its members, declares that such matters shall be determined “as pointed out in this Constitution.”

The Constitution defines the qualifications of members of the Senate as follows:

“Provided nevertheless that no person shall be capable of being elected a senator, who is not of the age of thirty years, and who shall not have been an inhabitant of this state for seven years immediately preceding his election, and at the time thereof he shall be an inhabitant of the district for which he shall be chosen.” (Part II, Article 29.)

In the recent case of *Petition of Dondero*, 94 N. H. 236, the New Hampshire Supreme Court declined to decide any questions in a Senate election contest, holding that the Senate had the sole power to decide, saying:

“It is well settled that a provision in a state constitution providing that each house of the State Legislature shall be the judge of the election and qualification of its members, vests the Legislature with sole and exclusive power in the premises and deprives the courts of jurisdiction of such matters.”

In deciding a senate election contest, the seven-year residence is mandatory under the Constitution, which expressly declares that “no person shall be capable of being elected a senator” without such residence. At the biennial election of November 3, 1964, there were two candidates for senator from District No. 8, and the votes cast for each were as follows:

James M. Lewis	6,315
James A. Saggiotes	5,745

James M. Lewis, if qualified, would be entitled to serve as senator. He was not qualified, as he has admitted in his deposition under oath (on file with the Senate Clerk), because he had not been a resident of New Hampshire for seven years preceding the election. Mr. Lewis first moved to New Hampshire in September 1959.

In view of the provisions of the Constitution, Mr. Lewis could not lawfully be a candidate. He was disqualified not only as a senator but also as a candidate for senator. (RSA 56:7 and 7-a) The plurality of votes which he received was ineffectual to elect him because he was made ineligible by the Constitution. Mr. Lewis cannot be seated without violating the plain provisions of the Constitution, which declare that seven years' residence is a necessary qualification. His opponent, Mr. Saggiotes, is eligible and received a plurality of the votes, if the votes for Mr. Lewis cannot be counted. The votes cast for Mr. Lewis cannot be counted for him because he is ineligible to hold the office. If the votes cast for Mr. Lewis cannot be counted to elect him, they cannot be counted to deny his opponent a plurality.

There have been two similar contests before the Senate, the Sanborn-Shannon contest in 1915 and the Alexander-Smart contest in 1941. In each case, the Senate seated the apparent loser, after it had been determined that the apparent winner was ineligible under the Constitution.

Willis J. Sanborn, who received the largest number of votes in District No. 6 in the 1914 election, was disqualified because he had not been a resident of the state for seven years. His opponent, Edwin H. Shannon, filed a petition claiming the seat.

The Committee on Elections of the Senate, after hearing the parties, submitted a report as follows:

"The Committee on Elections, to whom was referred the petition of Edwin H. Shannon in relation to his seat in the Senate from District No. 6, having considered the same reported as follows:

"That at the election held November 3, 1914, the vote for senator in District No. 6 showed that Edwin H. Shan-

non received a plurality of all the legal votes cast, Willis J. Sanborn, because of constitutional provisions, being ineligible; and recommend that Edwin H. Shannon be seated in this Senate as senator from District No. 6.

Charles W. Varney
Elwin E. Woodbury
George E. Clark
A. J. Lucier
Ezra M. Smith
For the Committee."

((Senate Journal, 1915 Session, page 18)

It will be noted that the action of the committee was unanimous, both the Republican and Democratic members of the committee joining in the report. The report of the committee was accepted and Mr. Shannon declared elected.

Arthur K. Smart, who received the largest number of votes in District No. 7, in the 1940 election, was disqualified because he was not thirty years of age at the time of his election. His opponent, Anson C. Alexander, filed a petition claiming the seat.

The Committee on Elections of the Senate, after hearing the parties, submitted a divided report, the majority report being as follows (Senate Journal, 1941 session, pp. 23-27):

"The majority of the Committee on Elections to whom was referred for determination the election of the Senator from the Seventh District;

"Having considered the same, recommend that Arthur K. Smart was not eligible to be elected, as he had not attained the age of thirty years required by the Constitution.

"A majority of the Committee on Elections, to whom was referred the petition of Anson C. Alexander of Boscawen, that he may be adjudged entitled to represent District No. 7 in the Senate, and that he be seated,

"Having considered the same, recommend that he be allowed the seat.

Joseph B. Perley
George A. Maxham
Blake T. Schurman
A majority of the Committee."

* * *

"On a *viva voce* vote the affirmative prevailed, and the recommendation of the majority of the committee was adopted."

Mr. Alexander thereupon took his seat and was sworn in as Senator from District No. 7.

Court decisions are of highly doubtful value, as most of them deal with non-legislative elections. Disputed election cases, *which do not involve legislators*, have sometimes reached the courts. The following case, involving a disputed election to the office of director of a state prison, is typical of the way some courts have ruled, for whatever it may be worth. In *Price v. Baker*, 41 Ind. 572, 577, the law was declared as follows:

"It is a principle of law well settled in this state, that where a majority of the ballots at an election are given to a candidate who is not eligible to the office, the ballots so cast are not to be counted for any purpose. They cannot be counted to elect the ineligible candidate, or to defeat the election of an opposing candidate by showing that he did not receive a majority of the votes cast at such election. They are regarded as illegal, and as having no effect upon the election for any purpose. As a consequence, it follows that the candidate who is eligible, having the highest number of legal votes, though that number may be less than the number of votes cast for the ineligible candidate, and less than a majority of all the votes cast at such election, is entitled to the office."

Mr. Lewis has not now been a resident of the state for seven years. He is disqualified to represent District No. 8 by the plain mandate of the Constitution. The failure to remove his name from the ballot does not affect his qualifications, as he, on the undisputed facts, is ineligible to serve as senator. But the claim is made that if he cannot be seated, no other person may be seated in his stead. This would result in a vacancy which could be filled only by an *expensive special election*, for which a time lapse of 50-60 days must be allowed for nominations or caucuses, during which time District No. 8 would be unrepresented. However, there is no good reason why the seat should be declared vacant. There was a qualified candidate, Mr. Saggiotes. Under the law, the qualified candidate receiving a

plurality of votes was elected. In deciding the election the votes cast for Mr. Lewis are no more to be counted than if they had been cast for a fictitious person or a person who died prior to the election. The votes cast for him were not cast for a legal candidate and may not properly be counted, but this clearly does not preclude the counting of the votes cast for the only legal candidate. In this election, there were two candidates, of whom only Mr. Lewis was ineligible. The election should be determined as between the qualified candidates, and, if this is done, Mr. Saggiotes must be declared elected as he received a plurality of the votes *legally* cast. Mr. Lewis cannot complain if this is done because he is disqualified to serve as senator. The rights of District No. 8 will be fully recognized if Mr. Saggiotes is declared elected because full effect will be given to the votes legally cast for a qualified candidate. We respectfully submit that Mr. Saggiotes ought to be seated as senator from District No. 8.

Respectfully submitted,

Richard F. Upton

Attorney for James A. Saggiotes

Resolution

Senator Green offered the following Resolution:

Resolved, that the Clerk be directed to prepare an attested copy of the action of the Senate taken in finding James A. Saggiotes and Douglass E. Hunter, Sr., entitled to represent the 8th and 23rd Senatorial Districts respectively and seating them as such and to deliver the same to the Governor.

Senators Martel and Foley spoke in opposition.

Senator Johnson spoke in support.

Question being on adoption.

On this question, Senator Martel requested a Division.

Twelve Senators having voted in the affirmative, and nine Senators having voted in the negative, the Resolution was adopted.

Communication

January 4, 1965

President of the Senate
State of New Hampshire
Senate Chamber
State House
Concord, New Hampshire

Dear Mr. President:

Due to circumstances beyond my control, I will be unable to serve as State Senator from the 21st District.

Therefore, it is my desire that you will declare a vacancy in the 21st Senatorial District so that my district will be adequately represented at the earliest possible moment.

Sincerely yours,
Paul G. Karkavelas

The Chair announced that the matter is before the Senate to await any motion or any action that the Senate desires to take.

Senator Howard moved that we accept the resignation with regret and declare a vacancy exists in the 21st Senatorial District.

Seconded by Senator Gardner.

Senator Foley inquired: "Now this is declared vacant, will the person with the next number of votes also be declared to be elected?"

The Chair replied, according to the communication, it is the intent that it be declared a vacancy. We would proceed with a new election under the law.

Senator Johnson spoke in support of the motion.

The motion was adopted.

Announcement by the Chair

"The Chair, at the present time, would seek counsel and advice, and possibly a motion, as to what the desire may be as to discussions on the Senate floor. There is a great deal to be put in the Journal today and I am not sure that you will get your Journal tomorrow, in fact. The Chair wishes that the

Senate might have some discussion as to what should be included in the Senate Journal."

Senator Bergeron stated that he believed in the past all remarks had not been put in the Journal. Stated he would ask the Clerk to refresh his memory as to what has been done.

The Clerk stated that the Journal was truly supposed to be a record of the action of the Senate. If a Senator had a particular interest in some legislation, he might submit his remarks in writing, or signal the Recorder at the beginning of his speaking that he wished to be recorded.

The Chair stated that this is a procedural question. No motion before the Senate. As the Clerk has stated, only the action and those speaking for or against any legislation, should be recorded in the Journal. Also stated that in observing the Journal the past two sessions, practically everything that was said was recorded. Further stated that when a Senator desires to have his remarks inserted in the Journal he might alert the Recorder and so tell her to have inserted in the Journal the remarks he might make following. If the Journal can be kept more to the action of the Senate, plus speaking for or against legislation, motions, etc., it will save the State of New Hampshire several thousand dollars — between \$4,000 and \$4,500. Also that 30% saving might be realized if all copy might be received by 4 o'clock. Also the Journals would be received at 9 o'clock rather than 8 o'clock and Thursday Journals would not be available until Monday.

(Discussion ensued)

Senator Johnson offered the following: "I move that the Journal be printed showing only the action taken by the Senate and further if a Senator wishes to have his statement put into the Journal, he should so state before beginning his speech."

(Discussion ensued)

Senator Martel: I have no opposition to the motion of the Senator from District No. 5, but I believe facts of the events that have transpired here, the Chair would not prevent anyone from having any remarks if they so wish.

Senator Johnson: It is my understanding that if a Senator would like to have his remarks of today put forth in the Journal at length, he certainly should be free to do so.

Senator Martel: Personal privilege. Before this vote is taken, it is my wish that the remarks I have made today be recorded.

Chair: The Chair would say that is the intent of the Senator from District No. 5. Therefore, your wish will be complied with as that of any other Senator.

Senator Johnson: I would like to leave the door open so that the presentation in the Journal will be of equal presentation so I would like to have the record complete.

Senator Martel: Happy to comply.

On a *viva voce* vote, the motion of Senator Johnson was adopted.

On motion of Senator Martel, duly seconded, the Senate voted to go into the 2 o'clock session.

Afternoon Session

On motion of Senator Provost, seconded by Senator Gardner, the Senate adjourned at 9:30 p.m. to meet tomorrow morning at 11 o'clock.

THURSDAY, January 7, 1965

The Senate met according to adjournment.

Assistant Clerk White acting as Clerk.

House Message

The House of Representatives has passed the following Concurrent Resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

Resolved, by the House of Representatives, the Senate concurring: That the Speaker of the House of Representatives and the President of the Senate be and hereby are, authorized to take over immediately such rooms in the State House or Annex as may be necessary for the use of said House of Representatives and Senate for any legislative purposes.

The Senate voted to concur.

Resolution

Resolved, by the House of Representatives, the Senate concurring: That the Joint Rules of the 1963 session be adopted as the Joint Rules of the Senate and House for this session. Provided, that amendments to the Joint Rules may be presented for consideration at any time prior to January 14th.

The Senate voted to concur.

Introduction, First & Second Readings of Senate Bills & Joint Resolutions

SB 1, to adjust classified salaries of state employees. (Rinden) Referred to Finance.

The Chair announced that hearing on the above bill had been scheduled in Room 100 at 10 a.m. on Thursday next.

SB 2, relative to ownership of real property. (Lamprey) Referred to Judiciary.

SB 3, relative to issuances of summons in criminal matters. (Howard) Referred to Judiciary.

SB 4, relative to the definition of a juvenile. (Waterhouse) Referred to Judiciary.

SB 5, relative to appointment and salaries of court stenographers. (Johnson) Referred to Judiciary.

Clerk Greer as Clerk.

Announcement

The Chair announced that the Clerk had informed him that James A. Saggiotes and Douglass E. Hunter had appeared before the Governor and had received the oath of office.

Introduction of Senate Bills (continued)

SB 6, prohibiting school boards requiring students to be insured. (Buchanan) Referred to Banks, Insurance & Claims.

SB 7, relative to the powers of the ballot-law commission. (Johnson) Referred to Executive Depts.

SB 8, to provide for absentee voting in primary elections. (Buchanan) Referred to Executive Depts.

SB 9, relative to motor vehicle accident reports. (Johnson) Referred to Banks, Insurance & Claims.

SB 10, providing for immunity from liability in emergency cases. (Buchanan) Referred to Judiciary.

SB 11, to authorize the state council on aging to determine the purposes for which federal funds received by it may be spent. (Martel) Referred to Health, Welfare & State Institutions.

SB 12, relative to women's names being placed on jury lists and exemption of certain persons. (Johnson) Referred to Judiciary.

SB 13, relative to clerk's duties in reference to absentee ballots. (Howard) Referred to Judiciary.

SB 14, to change the labeling requirements of agricultural seeds. (Green) Referred to Agriculture.

SB 15, relative to salaries of legislative attaches and service assistants (Gove) Referred to Finance.

SB 17, to raise the prize limit on beano games. (Howard) Referred to Executive Depts.

SJR 1, in favor of Henry Junior Cassady. (Rinden) Referred to Banks, Insurance & Claims.

SJR 2, authorizing the division of welfare to use certain federal funds. (Howard) Referred to Health, Welfare & State Institutions.

SJR 3, relative to an access road from route 16 to land of Fred Nason. (Lamprey) Referred to Public Works & Transportation.

Communication

UNITED STATES POST OFFICE

Concord, New Hampshire 03302

January 6, 1965

Honorable Stewart Lamprey
President, New Hampshire Senate
State House
Concord, New Hampshire 03301

Dear Mr. President:

As another legislative session begins, I am reminded of the very difficult parking problems that past sessions have

brought to the Concord Post Office. Perhaps this letter, if you will share it with other members of the Senate, will afford us some relief.

The Concord City Government has set aside three twelve-minute meters directly in front of the main post office on North State Street and six twelve-minute meters on the north side of Capitol Street adjacent to our south entrance for the use of our postal patrons, and these spaces should not be used for legislative parking. Additionally, the post office parking lot is limited strictly to the use of building employees.

The cooperation of you and your colleagues in this matter will be personally appreciated.

Sincerely,
Richard W. Eddy
Postmaster

Introduction

The Chair introduced Senators Saggiotes and Hunter who entered the Chamber and took their seats.

House Message

The House of Representatives has passed the following Concurrent Resolution in the passage of which it asks the concurrence of the Honorable Senate:

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Joint Convention at 11:45 o'clock for the purpose of receiving His Excellency, the Governor, and to hear any communication he may be pleased to make, and for the transaction of such other business as may properly come before such Convention.

The Senate voted to concur and the Chair declared a Recess to meet in Joint Convention and receive the Governor.

(Recess) (Joint Convention)

The Senate re-assembled.

Guest

Mary Margaret Mallat, daughter of Councilor Mallat of Keene, guest of Senators Blaisdell and Lamontagne.

Announcement by the Chair

The Chair announced that Senator Johnson from the 5th District would serve as Majority Leader for the session.

On motion of Senator Johnson, the Senate voted to reserve the right to correct the Journal of yesterday until next Tuesday.

The Chair stated that he felt the Majority and Minority leaders would get together in regard to making corrections.

On motion of Senator Martel, the rules were suspended to permit all business in order at 2 o'clock to be in order at the present time.

Afternoon Session

On motion of Senator Riley, the Senate adjourned at 12:45 o'clock to meet next Tuesday morning at 11 o'clock.

TUESDAY, January 12, 1965

The Senate met according to adjournment.

The Chair stated that a quorum was present.

Guest

The Chair recognized Senator English: I am very pleased to present to the Senate, William Joslin of Chesterfield who has honored us by coming here today and who, at his tender age, is taking a great deal of interest in what we are doing here.

Announcement by the Chair

During the first two days of the session, I felt that it was a little awkward when a Senator arises to be recognized, to go through the whole rigmarole of recognizing the Senator from such and such a District, I seemed to be cutting in on the Senator all the time. I would merely like to say the Chair recognizes Senator (by name), if there is no objection. The Senator will be able to get to the subject matter a little quicker and what he wishes to say, rather than a lengthy recognition.

Committee Assignments

At the request of the President, the Clerk read the list of Committee Assignments, as follows:

Agriculture:

Senators Johnson, Mitchell, Tufts, Paquette, Riley.

Banks and Insurance and Claims:

Senators Buchanan, Gove, Rinden, Riley, Blaisdell.

Education:

Senators Tufts, English, Green, Foley, Provost.

Engrossed Bills:

Senators Martin, English, Foley.

Executive Departments, Municipal and County Governments:

Senators Howard, Buchanan, Saggiotes, Provost, Foley.

Finance:

Senators Lamprey, Johnson, Gardner, Martin, Howard,
Provost, Bergeron.

Fisheries and Game:

Senators Hunter, Mitchell, Rinden, Blaisdell, Riley.

Interstate Cooperation:

Senators Lamprey, Johnson, Green, Gardner, Bergeron.

Judiciary:

Senators Rinden, English, Johnson, Green, Martin, Martel, Foley.

Labor:

Senators Saggiotes, Gardner, Waterhouse, Martel, Riley.

Liquor Laws:

Senators Mitchell, Saggiotes, Gove, Bergeron, Blaisdell.

Military and Veterans' Affairs:

Senators Green, Buchanan, Waterhouse, Blaisdell, Paquette.

Public Health, Welfare and State Institutions:

Senators Gardner, Tufts, Howard, Martel, Riley.

Public Works and Transportation:

Senators Gove, Hunter, Saggiotes, Riley, Lamontagne.

Resources, Recreation and Development:

Senators English, Hunter, Mitchell, Paquette, Lamontagne.

Rules:

Senators Lamprey, Johnson, Martel.

Ways and Means:

Senators Waterhouse, Gove, Tufts, Buchanan, English, Martel, Lamontagne.

Senator Paquette inquired under personal privilege: Can these Committees be changed or must we stick with them?

The Chair replied: The Chair will be happy to discuss this with you. The Chair will entertain any suggestions as to making changes.

Announcement by the Chair

At this time, the Chair would state that under the Rules, the Committee on Interstate Cooperation specifically mentions that the President of the Senate shall be a member. The Chair will state that at the present time, Senator Martel is not listed on that Committee. The Chair quite frankly does not have the great interest in this Committee that he does in some of the other Committees. It would require a motion by two-thirds vote of the Senate for the President not to serve on this Committee. The Chair would entertain such a motion and would then place Senator Martel on that Committee.

On motion of Senator Howard, seconded by Senator Gardner, the following Resolution was adopted:

That the Rules be so far suspended so that the President of the Senate shall not be a member of the Committee on Interstate Cooperation, at his request, and that Senator Martel be appointed to said Committee in his place.

The Chair recognized Senator Foley: I would speak to a point of personal privilege. I have a Resolution submitted by a constituent which I should like to have read at this time.

The Chair: Any Resolution should be presented to the Chair.

Senator Foley: Under personal privilege?

The Chair: That does not come under personal privilege. That covers the answer to any derogatory remarks which generally are in the press or something that might be said about a particular Senator and this would be their answer under personal privilege. But to read any document under the guise of personal privilege is not allowable. I would be happy to entertain your Resolution; if it is a Resolution that should be referred to a committee. First, I will accept your Resolution and if it should be referred to a Committee, the Chair will refer it to a Committee. If it is a Resolution that has relatively little controversy, the Chair might entertain taking it up immediately, but the Resolution should be submitted to the Chair, and generally are submitted in advance of the opening of the legislative day.

Senator Foley: Although we have adopted Rules, we have no copy of them. How are freshman Senators to know these things?

The Chair: I realize this situation. I also realize that these first few days, there will be motions made that are not in order and I will be fair in all instances. I will do everything correctly and fair to both sides of the aisle.

Senator Foley offered Resolution relative to seating of Senators.

At the request of the Chair, the Clerk read the Resolution.

The Chair referred the above Resolution relative to seating of Senators to the Committee on Judiciary.

The Chair recognized Senator Johnson: Last Thursday afternoon, we spoke that the Journal for the previous day was not complete in view of the length of the session and the lateness of the hour in adjourning. I believe that at this time, I would ask that the Clerk prepare a complete record of all the events of Wednesday. In order to do this, it will take time and I am told that the Recorder will be able by tomorrow morning at 9:30 to have a complete record of the events of Wednesday on the desk of each and every Senator. This will give us from 9:30 until 11 o'clock to go over the complete record of Wednesday and at that time, we can intelligently vote to insert this complete record as the record of the Wednesday session of this Senate, and that the Senate should vote to reserve the right to correct the Journal of Wednesday, January 6th, until tomorrow. I believe I have the concurrence of Senator Martel that this will be the fair and impartial procedure to follow.

Senator Martel: I heartily concur with the Senator from District No. 5.

Senator Foley: I make that motion. Seconded by Senator Blaisdell.

Motion unanimously carried.

The Chair recognized Senator Martel: I would at this time, wish to express a request to the members of this Honorable body. In my humble capacity of representing the minority in this Honorable body, I am wondering if the members would accede to this request. Two years ago, was the first opportunity that the minority Party had of having an office of their own on the 3rd floor. We feel that it might be well if the members of this body would accede to our having at least one person help us in stenographic work and work of that nature. Not only for the Minority leader, but any member of the minority Party of this body.

The Chair inquired: Do you have a Resolution?

Senator Martel: No, I do not, but I will be glad to formulate it in a Resolution.

On motion of Senator Martel, the rules of the Senate were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

The Chair: If the Senators will leave with the Clerk, the registration number of their cars, the Clerk will obtain stickers for parking from the Police Department.

The Chair: Senator Foley brought up an excellent idea with reference to lack of rules. We are trying to locate some of the black books from the 1963 session which would be of use until the 1965 books are ready. I would ask for a show of hands as to who needs them. We will try to locate some of the books. (six needed)

The Clerk: I hate to disappoint the President, but there are none available.

The Chair stated he would borrow some of the books for the use of the six Senators.

On motion of Senator Provost, seconded by Senator Blaisdell, the Senate adjourned at 12 o'clock noon.

WEDNESDAY, January 13, 1965

The Senate met according to adjournment.

The Chair declared a quorum present.

Guests

Senator Tufts introduced his Father and Mother, Mr. and Mrs. James Tufts, and stated that his Dad had been here when John Winant was Governor and had occupied an office here when the first Comptroller Commission was formed.

Introduction, First & Second Reading of Senate Bill

SB 16, relative to compensation of Assistant Clerk of the Senate. (Johnson) Referred to Finance.

Resolution

On motion of Senators Blaisdell and Martel, the following Resolution was unanimously adopted:

Whereas, It is with great sadness that we have learned of the death of J. Murray Devine of Manchester, and

Whereas, Mr. Devine served in the United States Navy, was Secretary to the 1948 New Hampshire Constitutional Convention, and at the time of his untimely death was State Chairman of the Democratic party and had served both his country and state with great honor, and because his cooperative spirit and pleasing personality endeared him to all who knew him, therefore be it

Resolved, That the members of the New Hampshire Senate of 1965 hereby pay tribute to J. Murray Devine and extend our heartfelt sympathy to his widow at this time, and be it further

Resolved, That a copy of these resolutions be forwarded to his widow.

Announcement by the Chair

The Chair announced a few Committee changes:

Banks, Insurance and Claims:

Senator Bergeron will replace Senator Riley.

Senator Lamontagne will replace Senator Blaisdell.

Education:

Senator English will be the first name mentioned and therefore the Chairman.

Engrossed Bills:

Senator Provost in place of Senator Foley.

Judiciary:

Senator Tufts in place of Senator Green.

Senator Riley in place of Senator Foley.

Military and Veterans Affairs:

Senator Provost in place of Senator Paquette.

Resources, Recreation and Development:

Senator Tufts to replace Senator English as chairman.

Senator Riley in place of Senator Paquette.

Senator Blaisdell will replace Senator Lamontagne.

Ways and Means:

Senator Paquette will replace Senator Martel.

Announcement by the Chair

The Chair, at the present time, as voted in previous Journal, will take up the Journal of the Honorable Senate for January 6, 1965.

(The members of the Senate in consideration of the printed copy before them.)

The Chair explained the corrections in the printed copy:

On Page 15, in the first line: should be "an amendment" instead of "a motion."

On Page 40, in the 17th line: should be "1957" instead of "1954."

The Chair stated that there were several errors on Page 41 and therefore the page had been rewritten:

In line 2, should be "supreme" instead of "superior" (court).

In line 13, should be "lived or" instead of "lived in."

In the third paragraph, should be "Maryland" instead of "Virginia."

In fourth paragraph, should be "Maryland" instead of "Virginia."

The Chair: I believe that is all the corrections that the Chair has been able to spot.

Senator Martel called attention to the following correction:

On page 39, in the second paragraph, should be "point of order" instead of "out of order."

The Chair: The Chair at the present time asks unanimous consent that these changes be made. Any objection?

The Chair: Hearing no objection, these technical changes have been made.

The Chair inquired if there were any other changes in the Journal as printed, before the members of the Senate.

Senator Martel: I am trying to locate the remark I made after Senator Johnson finished speaking. I think one sentence was left out.

At the request of Senator Martel, the Chair declared a 5 minute Recess.

(Recess)

The Senate re-assembled.

Senator Martel located the sentence mentioned above:

On Page 50, the 7th paragraph, after the word "sorry" add the following sentence: Apparently, what is good for the goose is not good for the gander.

The Chair: Without objection, this change will be made in the Journal.

Senator Howard: I move that we substitute the Journal on our desks as the Journal of the Senate on Jan. 6, 1965 with the adopted changes.

Unanimously voted, without objection.

The President requested Senator English to assume the Chair.

Senator English presiding.

Notices

The Chair requested the various Committee Chairman to kindly organize their Committees and give the name of the Committee Clerk to the Senate Clerk as soon as convenient.

Senator Gardner requested the members of her Committee (Public Health) to meet with her in the Northeast corner of the Senate Chamber after adjournment for organizational purposes.

Senator Lamprey: "I desire to address myself to a communication which was given in Joint Convention on January 7th, known as the Inaugural Address of John W. King. I would like to speak briefly on some of the items appearing in the address.

"First, I would like to address myself to the remarks made relative to the impact of our sweepstakes program on our reve-

nue from racing. Even though I am not against the sweepstakes, I am not absolutely clear on the question of how much benefit was derived because the sweepstakes law was in effect relative to racing. First, I would like to bring to your attention that there were six extra days of racing this season, and even though the average daily handle was up slightly, it was these extra six days that made the difference in the revenue to the State of New Hampshire; and I might say, six days that we are not going to have in this year of 1965. It cost the State of New Hampshire, or the towns and cities of the State of New Hampshire, \$31,529.27 for extra expenses incurred when the sweepstakes race was run at Rockingham track. The Governor further stated that there would be an estimated increase of 5 million dollars. I am delighted to hear it. I would hope that these figures would soon be made available to the Finance Committee in order that we might take up the matter of finances within the State.

"I think one of the most interesting things in this communication was: 'One of the first and foremost is an adequate salary increase for all classified state employees.'

"I am sure that the Senate will note that SB 1 is the first Senate Bill to be introduced in this body and it deals with this subject. I am sure that the Senate has noted there will be a hearing held by the Finance Committee in Room 100 tomorrow on this bill. There is one thing that I am deeply disturbed about and that is the fact that by law, the personnel commission and a special committee was created in 1961 so that before we came into session, we would have the facts and figures relative to what the averages were in private industry and municipalities throughout New Hampshire, and I believe New England, so that we could gauge more accurately what our state employees should receive for compensation. The law said they shall file this report by December 1st, but the state personnel commission and the special committee, even though they were granted two additional employees to help furnish us with this information, has not yet supplied this vital data. It has not been received yet, and this is not the fault of the special committee. I cannot in good conscience say why we have not received it, but we haven't *received* it. We are going to hold a public hearing on this bill tomorrow and I hope we get the information in time for this hearing. Again, I emphasize it is not the fault of the special committee. I think I might say something about dispatch. Two years ago, when I was a member of the other body,

we did everything possible in trying to get an increase for the state employees, but we got nowhere. I hope we can do something about taking state employees' salaries out of politics and I shall do everything in my power as the Senator from the 4th District to try and accomplish this.

"The Message stated: 'This session of the General Court will have to face up to the problem of re-apportioning and re-districting.' I am sure the Senate is going to do this with dispatch. Because of the direction of the supreme court, we must give this a very high priority in compliance with the one man one vote edict.

"I noted, also, that there was some concern in trying to do something for the future growth of our State — especially Portsmouth, which requires special and administrative attention. I wish we had been informed, as some U.S. Senators were informed at that time prior to the election, so that special attention could have been given to the problems prior to the election instead of having the problems come up after the election so the general public could have been informed. I am sure this Senate will do everything possible and I, as the Senator from the 4th District, will do everything possible to help in this situation.

"One or two other items relative to this address — the Governor said: 'I am deeply concerned about the mental health program for the people of this State and I am convinced that only re-organization can create such a beneficial program.'

"Let me ask you this in good conscience. Can you run a department, either executive or administrative, when you have no other communication except by press releases? As far as I can ascertain, there has been no attempt on the part of the Governor to sit down with the Commissioner to work out differences. How can you run a government if you don't sit down at a table and talk over your differences. It is up to men to make systems work. You can have a poor system, but you can make it look good. Then you can have the best system in the world and if there is no cooperation between the executive department and the commissioner, then even the best system will not work.

"I have sat and listened and not spoken relative to this issue which involves unfortunate citizens of this State. I say it is time

to get together and find out what our problems are and work them out. I believe these men are reasonable men and it can be accomplished.

"I feel that the Senate has a particular responsibility when bills requesting the division of the department come before us, to look at them critically, strictly on their merits, and in the light of the last two years where there has been no serious attempt to make the system work.

"One thing further regarding progress for the State of New Hampshire, and that is that we will accept, I am sure, as Senators anything that comes before us and these items will be given adequate consideration on their merits and regardless of the fact that there has not been any communication except through press releases between the executive and administrative branches of this government in this important area.

"I have listened to this gulf of mass confusion for some time and I now think it is time for someone to speak out and say 'let's talk this thing out.'

"One other subject which was in the Message, I believe the Governor said relative to the Milk Control Board — that it is good and that its functions should be limited to fixing control at the farmer level. The crux is keeping control at the farmer level instead of at the retail level. You have still retained fixing when you try to fix milk control at the farmer level. It seems to me that you are only increasing your problem by 100% by trying to fix it at the farmer level.

"It's the same bag of tricks when you try to fix controls at the farmer level as when you try to fix controls at the retail level.

"It is my own personal opinion that the Milk Control Board should go. The people of New Hampshire have lost confidence in it. This is a place where we can strike a blow for the free enterprise system. Supervision of New Hampshire's milk industry can be handled well in the State Department of Agriculture and through existing personnel. We can increase the standards which presently are required through the Department of Agriculture. We can decrease the bacteria count necessary for milk to be sold and this can be done through the Department of Agriculture and I don't think we need the Milk Control Board any longer, nor have we needed it for a number of years. This

is the time to strike the blow for liberty in this area and this is a good time to start it.

“One more thing—developing a forward looking program. We had an Inaugural Address on the 7th of January and I would say that there will be forthcoming a forward looking program to be presented to the people of the State of New Hampshire by the Republican Party and that it will be a good program, an encouraging one and one that will meet the needs of the people throughout the State.”

Senator Buchanan requested the members of the Banks, Insurance and Claims Committee to meet with him at the Press Table after adjournment for organizational purposes.

Senator Martel: “I am interested in the remarks just made by the Senator from the 4th District. I have noted with concern that he has made reference to the fact that the personnel commission does not have the information ready for us and I deplore it as much as he does. I think it would help us tremendously in bills being given to us for consideration. Relative to the Department of Mental Health—I don’t know if the Senator from the 4th District was present at the public hearing, but if he was, he would remember that questioning by the Governor was to the effect that re-organization had not brought about what was expected. If that is true, it is up to us to do something about it. The action taken by the federal government relative Portsmouth and that information should have been given to the people before the election—I had no knowledge of that information. I believe—that we should work together and bring about progress for the people of our State. I voted for re-organization because I conscientiously felt that it was for the public good. I was criticized for doing it. If this does not work well, we should wait until these bills come on the floor, let us hear the evidence presented and then we will all in good conscience vote for what is best for all of our people. I agree with the Senator from the 4th District that after we are elected, it is up to all of us to vote for what we believe is the best for all of our people.”

Senator Waterhouse requested the members of the Ways & Means Committee to meet with him for organizational purposes following adjournment.

Senator Lamprey requested the members of the Finance Committee to meet at 9:45 a.m. tomorrow morning in the Senate Chamber.

Senator Gove requested the members of the Public Works Committee to meet with him following adjournment today.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Senator Hunter requested the members of the Fish & Game Committee to meet with him tomorrow 5 minutes after adjournment, in the Dartmouth Corner of the Senate Chamber.

On motion of Senator Blaisdell, the Senate adjourned at 12:35 o'clock in the memory of Attorney J. Murray Devine.

THURSDAY, January 14, 1965

The Senate met according to adjournment.

Senator English presiding.

The Chair declared that a quorum was present.

Introduction, First & Second Reading of Senate Bill and Senate Joint Resolution

SB 19, relative to tax exemption for widows of men lost in the sinking of the Thresher. (Foley) Referred to Committee on Military and Veterans' Affairs.

SJR 4, to reimburse the town of Hancock for an overpayment of county taxes. (English) Referred to the Committee on Banks and Insurance and Claims.

Remarks by the Chair

The Chair has requested that the above SJR 4 not be printed, and without objection this request will be granted. It results from an error having been made in the Tax Commis-

sion. It has no known opponent. Without objection, SJR 4 will not be printed.

At the request of Senator Howard, the above mentioned SJR 4 was read by the Clerk:

JOINT RESOLUTION

to reimburse the town of Hancock for an
overpayment of county taxes.

Whereas, The town of Hancock in the county of Hillsborough overpaid its proportion of the county tax in each of the years 1961, 1962, 1963 and 1964 because of an error in computing the proportion of the county tax to be paid by the town in each of these years, and

Whereas, Such overpayments have imposed on the town a financial burden greater than it should be required to bear, and have conferred upon the other towns and cities in Hillsborough county a benefit to which they were not entitled, now therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That in apportioning the county tax for the year 1965 for the county of Hillsborough the county treasurer shall credit the amount of four thousand three hundred fifty-seven dollars and seventy-six cents against the amount found due from the town of Hancock and shall apportion the sum of four thousand three hundred fifty-seven dollars and seventy-six cents among the remaining towns in the county in the same manner as the county tax is apportioned.

Senator English offered the following statement:

Mr. President: It is my thought concurred in by members of the House that the Senate may wish to continue a practice started on a limited basis during the preceding session. I have reference to the joint hearings by the House and Senate on a considerable number of bills and resolutions.

I may say that the Education Committee last session followed this very nearly 100 per cent and it resulted in a good deal of time saved. Above all, it aided those members of the public wishing to appear for or against bills or resolutions.

The appearances and reappearances of such persons, particularly during the winter months, often resulted in considerable hardship. In some cases, hearings scheduled for one reason or another had to be cancelled.

In connection with these hearings, only one bug appeared; namely, which chairman — House or Senate — should preside. The greater number of the bills are House Bills. The Education Committee, by discussions between the respective chairmen, found an amiable relationship which consisted of one chairman or the other alternating in the hearings of the bills before the joint committee or, in some cases, alternating during the hearing so that the chairman of both the House and Senate committees had equal part in the proceedings.

Of course, a bill jointly heard can always be reheard if there is sufficient reason to do so. Executive action is, of course, taken separately.

I believe, Mr. President, that if the corresponding chairmen in the House and Senate would confer, it would be possible to work out arrangements for joint hearings on many bills which would be helpful to all concerned.

Senator Buchanan: My only previous experience in the Legislature has been to appear either for or against bills in either or both bodies. I concur in your statement regarding the hardship incurred by outsiders coming to speak for or in opposition to bills is true. I think that unless there is some extenuating circumstances, the two Chairmen should be able to get together, especially with respect to bills that will attract substantial interest from the public and will have many people in attendance at the hearings. I would like to lend my support to your suggestion.

Senator Martel: I would also like to add my support of the proposition. I believe there is considerable merit. If there is to be any of the taxpayers' money saved, in order to expedite our business, I believe we cannot do anything else but go along with your suggestion.

Senator Waterhouse: I wish to go on record as concurring with the suggestion. Money bills originate in the House and I believe it would be of benefit for the members of the Ways & Means Committee to sit in Joint session.

Senator Lamontagne: I would also like to go along with this. But, I do believe that in the case of House Bills, that the Chairman of the House Committee should preside and in the case of Senate Bills, the Chairman of the Senate Committee. If necessary — to have another hearing. I certainly would go along with it.

Senator Hunter reminded the members of the Fish & Game Committee to meet with him for a few minutes after adjournment for organization purposes.

Senator Waterhouse requested the members of the Ways & Means Committee to meet in the Northeast corner of the Chamber for perhaps 2 minutes immediately after adjournment.

Senator Martel wished to have included in today's Journal, the following remarks:

I wish to commend Philip Darling, representing the New Hampshire Manufacturers' Association, who has been graciously forwarding to each one of us a copy of the listing of the bills. Last session also, I believe we received this service. I believe that it was a tremendous help and I think a note should be sent to him, expressing our appreciation for this having been done.

Senator Hunter added that the above had been a great service to him and he would add his support of the suggestion.

The Chair stated this would be done.

Senator Lamprey: I note that each one of us have a copy of the Portsmouth Herald and I am wondering who was responsible for this being done. I would ask the Senator who was responsible to stand up that we might properly thank him. Also, may I inquire if we are to receive it daily?

Senator Foley stood and said if that was the wish of the Senate, yes she would be happy to see that this was done. Further stated that she was sorry the President had received only 1 copy as she had left 4 copies for him.

Senator Lamprey: I would like to thank the Senator from the 24th District, for the offer to furnish the Senators with the Portsmouth Herald; that would be one additional paper that we would have to keep us informed. This does bring one thing to

mind. I know that there is a rule in the House, which is an excellent one; if there is anything to be placed on the desks of the members, it must be cleared through the President or the Clerk, in order that we may not become inundated with material being left on our desks. This is not in reference to this particular case.

Senator Foley: I did not put them on the desks. I inquired where I should leave them in order that they might be circulated here, and not put in the circular file. I was told to leave them out there (motioning toward the Sergeant-at-Arms room) and I did.

Senator Lamprey: Honestly and truly, I am not making reference to your kindness.

Senator Foley agreed.

Senator Howard: Last year, at the start of the session, whether by resolution or not, everything to be distributed was given to the Sergeant-at-Arms and it was left out on the table. Then, if the members wished the material, it could be picked up by them. If they did not want it they did not pick it up. Without objection, the proposal of Senator Lamprey might be adopted. This might be cleared through the Clerk.

Acceptable to Senator Lamprey.

Senator Lamprey requested the members of the Finance Committee to meet in executive session under the portrait of John Wentworth following adjournment.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

On motion of Senator Green, the Senate adjourned at 11:45, to meet next Tuesday morning at 11 o'clock.

TUESDAY, January 19, 1965

The Senate met according to adjournment.

Senator Martin, District No. 2, presiding.

The Chair announced a quorum was present.

Resolutions

Senator Buchanan offered the following Resolution which was unanimously adopted by a standing vote:

Whereas, We are deeply grieved by the passing of the Honorable Samuel Green of Manchester, whose kindly spirit of friendship, helpfulness and cooperation endeared him to all who knew him, and

Whereas, He had served as a distinguished Member of the House of Representatives from Manchester, as President of the State Senate and as Acting Governor, and

Whereas, He was a Colonel in World War II, a Colonel Judge Advocate General in the New Hampshire National Guard, a member of the New Hampshire Commission on Interstate Cooperation, and a member of several civic, fraternal and veterans' organizations, (as well as a respected, able and active member of the bar) in all of which he was very active, serving with distinction, now therefore be it

Resolved, That we, the Members of the State Senate of the 1965 session of the General Court of New Hampshire, hereby pay tribute to our late fellow Senator for his services to his city, state and nation, and express our deepest sympathy to his family in its great bereavement, and be it further

Resolved, That these Resolutions be spread upon our records and that the Clerk of the Senate transmit a copy to the widow, Senator Dorothy Green.

Senator Martin offered the following Resolution which was unanimously adopted by a standing vote:

Whereas, she was the second lady to be elected Senator in the State of New Hampshire, in which she served with distinction,

Therefore, be it Resolved, that we, the members of the Senate, extend our heartfelt sympathies to her family in their bereavement, and be it

Further Resolved, that the Clerk of the Senate be instructed to transmit a copy of this Resolution to the immediate family.

State of New Hampshire

Department of Public Works and Highways

January 15, 1965

Honorable Stewart Lamprey
President of the Senate
State House
Concord, N. H.

Dear Mr. Lamprey:

Enclosed is a copy of "A Study of Town Bridges on Class II Highways" prepared for the General Court of 1965 as directed by Chapter 270, Laws of 1963.

Copies are also being sent to the Secretary of State and the Speaker of the House of Representatives. Additional copies will be available for general distribution.

A detailed description of each bridge has been prepared as a separate Appendix to the report but due to its bulk we are not submitting it at this time. It will be made available for Legislative Committees and other interested persons as required.

Sincerely,

John O. Morton
Commissioner

A STUDY OF TOWN BRIDGES ON CLASS II HIGHWAYS

Prepared for
THE GENERAL COURT OF 1965
AS DIRECTED BY CHAPTER 270
LAWS OF 1963

Prepared by
NEW HAMPSHIRE
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
January 1965

A Study of Town Bridges on Class II Highways

The Legislature of 1963, by passage of Chapter 270, (HB 552), directed the Commissioner of Public Works and Highways to conduct a study of the probable cost to the state of the assumption by the state, not later than June 30, 1965, of all maintenance or reconstruction of all bridges on Class II highways within the state. The Commissioner shall submit a report of his finding not later than January 15, 1965 to the next regular session of the legislature.

A bridge is defined in Chapter 242, Revised Statutes Annotated, as meaning a structure, having a clear span of ten feet or more measured along the center line of the roadway at the elevation of the bridge seats, spanning a water course or other opening or obstruction, on a public highway to carry the traffic across, and shall include the substructure, superstructure and approaches thereto.

The state assumes, under present statutes, maintenance of all bridges constructed or reconstructed with State Bridge Aid Funds on Class II highways. All such bridges so constructed shall have a carrying capacity of at least 15 tons. Bridges constructed without state funds have sometimes been accepted providing carrying capacity, width and condition meet state construction standards.

Under the State Bridge Aid Program a total of 61 bridges have been improved in the last 15 years, 1950 through 1964; an average of 4 per year. Maintenance responsibility for new bridges, at this rate, can be absorbed with minor changes in the budget and work force. Operation of the program on a share basis gives the municipality the initial action in deciding

whether a modern bridge is important to its citizens. Local shares vary from $1/6$ to $1/3$ the total cost depending upon locally assessed valuation.

There are 95 town maintained bridges, not meeting state standards, on Class II highways located in 70 towns and cities. Two are joint structures across town boundary lines, six cross the Connecticut River and seven are wooden covered bridges. (See Table I for list of bridges)

All of these town maintained bridges are deficient in width, load carrying capacity or condition, do not meet state standards and have never been improved as a State Bridge Aid Project. These have been considered as uncompleted "gaps" in the Class II highway system to be maintained by towns and cities in the same manner as similar "gaps" in Class II roadway sections.

State records indicate most of these bridges were built by municipalities between 1890 and 1921 when the State Bridge Aid Law was enacted. The earliest recorded date on file for construction of steel bridges is 1890 for the Belmont bridge, followed in 1893 by Stratford and in 1897 by Chelburne. The earliest covered bridge in the list was constructed in Campton in 1828.

A study of each bridge was made to determine the probable immediate repair cost and the ultimate construction cost. Immediate repairs were estimated for items such as undermined abutments; unpainted and rust eaten steel; disintegrated curbs, decks, wings and abutments; weak and broken guard rail; and any other items involving the life of the structure and the safety of the public.

Narrow widths were treated in accordance with anticipated traffic volumes. Some numbered routes require at least a 24 foot roadway (28 feet would be safer) while on other Class II highways carrying little traffic, hardly qualifying as secondary highways, a one way bridge is more of an inconvenience than a prime hazard. The cost of widening is estimated under repairs only when such extra width is required.

Some bridges have no life left in them and cannot be repaired. In these instances the cost of a new bridge is estimated and the repair cost is considered the same as construction cost.

Repair costs for the 95 town maintained bridges on Class II highways total \$1,851,000. (See Table II). This includes re-

placement of 34 bridges costing \$1,319,000 and repairs to 61 bridges totaling \$532,000. Four of the new bridges are approved State Bridge Aid Projects in Belmont, Claremont, Pelham and Peterboro but construction has not yet started.

Assumption of the cost of all maintenance and reconstruction of the 95 old and deficient bridges would mean either drastic curtailment of other highway programs or provision of additional revenue plus a tremendous increase in the bridge maintenance work force. For instance, at least 20, five-man, bridge crews and related equipment would be required to accomplish the work in one year. An attempt to spread out the repairs over a longer period of time would result in further deterioration, higher repair costs and greater danger to the public. All local maintenance would, of course, stop.

Upon completion of repair and reconstruction work as outlined in this study, estimated to cost \$1,851,000, there would be an annual maintenance cost of \$70,000, involving one crew, to keep these bridges in tolerable condition. Repairs to the 61 bridges not reconstructed would be much higher than average because of their age and type. Eventually, all of these old bridges would either have to be reconstructed or closed to traffic.

The seven state bridge maintenance crews, now operating on a \$500,000 annual budget, are maintaining 1,400 bridges on a high priority and emergency basis under rigid budgetary control. The department recognizes that adequate maintenance on even the newer bridges has not yet been possible and is requesting additional funds and personnel in the next biennium. No part of the proposed budget will allow absorption of cost for repairs to 95 additional bridges, 45 to 75 years old, in general terms.

Before such transfer of maintenance is actuated, a complete review of the Class II highway system and the importance of the individual bridges should be made. Of 29 out of the 95 bridges, two are already closed to traffic without hardship to the general public, 12 are on stub-end sections of Class II highway changing to town highway a short distance beyond the bridge, and at least 15 are on other relatively unimportant, low traffic volume highways. Only 33 bridges are on numbered routes.

Special consideration should be given to withholding from transfer for maintenance as state bridges those across the Connecticut River in the towns of Columbia, Haverhill, Lancaster, Lyme (now closed), Northumberland and Stratford; the Merrimack River bridge in Boscawen and Canterbury; and the lower Androscoggin River Bridge in Shelburne. Traffic use does not justify their continued maintenance and reconstruction cost as state bridges and the ease of travel to other nearby river crossings does not create a hardship to the public.

In conclusion, this study shows that the restoration of the 95 town bridges on Class II highways will cost the state \$1,851,000 initially and \$70,000 per year thereafter. Neither funds nor personnel are provided in the budget for this additional work. Present budget provides for only high priority and emergency repairs on the 1,400 bridges presently owned by the state.

The State Bridge Aid Program has transferred 61 new bridges to state maintenance in the last 15 years, allowing a normal upward transition of maintenance cost. This is the most practical method for changing maintenance responsibility from town to state.

A re-evaluation of the Class II highway system and its bridges should be made with special consideration given to the economic justification for maintaining and reconstructing long and expensive bridges on low traffic volume river crossings.

Table I
Town Maintained Bridges on Class II Highways

<i>Town</i>	<i>Number of Bridges</i>	<i>Bridge Number</i>
Allenstown	1	129/103
Alstead	2	111/129-107/130
Antrim	1	157/087
Belmont	1	101/069
Bennington	2	100/072-106/085
Berlin	1	159/081
Boscawen-Canterbury	1	132/085
Bridgewater	1	156/172
Campton	1	117/076
Chatham	1	193/125

Claremont	1	072/127
Colebrook	2	077/128-135/068
Columbia	1	077/140
Concord	1	130/019
Conway	1	046/030
Croydon	1	155/054
Deerfield	2	137/116-144/109
Eaton	1	062/119
Franeestown	1	111/100
Gilsum	1	080/121
Greenville	1	073/104
Hanover	1	098/053
Harrisville	1	194/072
Haverhill	1	099/149
Hebron	2	112/102-093/101
Hollis	1	069/028
Jefferson	5	091/105-090/101-089/099 171/053-087/096
Keene	2	161/154-177/050
Lancaster	2	039/105-179/098
Landaff	1	084/147
Lisbon	1	104/064
Lyme	1	052/153
Madbury	1	088/084
Madison	1	093/096
Milan	2	207/091-218/060
Milford	4	076/152-110/110-096/147-062/138
Milton	1	105/124
New Boston	1	045/131
New Ipswich	1	113/074
Newport	1	116/142
Northfield-Tilton	1	128/158
Northfield	2	133/156-068/060
Northumberland	1	141/059
Nottingham	1	149/085
Orange	1	081/099
Ossipee	2	141/235-145/236
Pelham	2	105/099-110/082
Peterboro	2	162/170-127/133
Pittsfield	1	103/101
Plymouth	1	087/152
Randolph	1	040/044
Richmond	1	114/136

Salem	1	097/181
Sanbornton	1	123/156
Sharon	2	061/098-078/035
Shelburne	2	075/110-122/110
South Hampton	1	069/087
Stewartstown	1	114/095
Stratford	2	098/064-107/074
Sunapee	2	122/178-122/168
Surry	1	100/130
Swanzey	1	136/143
Tamworth	2	032/051-044/080
Walpole	2	183/081-199/109
Warren	1	102/092
Westmoreland	1	111/072
Wilton	2	129/126-063/105
Woodstock	2	197/088-205/078

Total	95
-------	----

Table II
Repair and Construction Costs of
Town Maintained Bridges on Class II Highways

<i>Town</i>	<i>Bridge Number</i>	<i>Route Number</i>	<i>Bridge Width Feet-Inches</i>	<i>Clear Span</i>	<i>Stream</i>	<i>Type</i>	<i>Repair Cost</i>	<i>Const. Cost</i>
Allentown	129/103		16-10	16-0	Bear Brook	Split Stone Arch	\$16,000	\$16,000
Alstead	107/130	N.H. 123	20-0	11-0	Warren Brook	R. C. Slab	15,000	15,000
Alstead	111/129	N.H. 123	21-0	12-9	Warren Brook	R. C. Slab	15,000	15,000
Antrim	157/087	N.H. 31	22-3	12-1	Great Brook	Conc. Arch		5,000
Belmont	101/069	N.H. 140	19-2	31-10	Tioga River	Plank on I-Beams	36,000	36,000
Bennington	100/072		21-0	10-0	Outlet Whittemore Lake	RC Box Culv.	900	10,000
Bennington	106/085	N.H. 31	20-9	10-2	A Small Brook	1-RC Slab	3,000	15,000
Berlin	259/081		20	25-0	Bean Brook	R. C. Slab	5,000	30,000
Boscawen-Canterbury	132/085		17-1	166-4	Merrinack River	Steel Thru Pratt Truss	110,000	300,000
Bridgewater	156/172		23-0	7-5	Clay Brook	Twin Concrete Arch	1,000	15,000
Campton	117/076		14-6	282-6	Pemigewasset River	Wood Covered	12,000	300,000
Chatham	193/125		11-5	22-5	Langdon Brook	Plank on Log Stringers	25,000	25,000
Claremont	072/127		14-0	139-10	Sugar River	Steel Thru Pratt Truss	300,000	300,000
Colebrook	077/128	N.H. 145	20-6	14-1	N. Branch Mohawk Riv.	I-Beams with Jack Arches	3,000	15,000
Colebrook	135/068		15-6	43-2	Mohawk River	Warren Pony Truss	10,000	40,000
Columbia	077/140		15-8	133-5	Connecticut River	Wood Covered	6,000	150,000
Concord	130/019		21-1	16-6	Ash Brook	R. C. Frame	1,000	5,000
Conway	046/030		15-3	38-4	Lucy Brook	I-Beams with Jack Arches	40,000	40,000
Croydon	155/054		13-10	17-0	Long Pond Outlet	Plank on I-Beam Stringers	18,000	18,000
Deerfield	137/116	N.H. 107	21-0	11-1	Freeses Pond Neck	I-Beams with Jack Arches	15,000	15,000
Deerfield	144/109	N.H. 107	20-6	26-0	Lamprey River	I-Beams with Jack Arches	3,000	15,000
Eaton	062/119	N.H. 153	21-0	13-6	Crystal Lake Brook	R. C. Slab	2,000	15,000
Francesstown	111/100	N.H. 136	22-0	24-6	So. Br. Piscataquog	I-Beams with Jack Arches	25,000	25,000
Gilsum	080/121		20-1	10-0	May Brook	R. C. Slab	5,000	12,000
Greenville	073/104		21-0	36-0	Souhegan River	Stone Arch	2,000	36,000

Town	Bridge Number	Route Number	Bridge Width Feet-Inches	Clear Span Feet-Inches	Stream	Type	Repair Cost	Const. Cost
Hanover	098/053		21-0	28-0	Mink Brook	Stone Arch	1,000	28,000
Haverhill	194/072	N.H. 137	14-10	23-0	Nubanusit Brook	I-Beams with Jack Arches	25,000	25,000
Haverhill	099/149		16-5½	303-11½	Connecticut River	Thru Pratt Truss	65,000	330,000
Hebron	112/102		18-10	20-8	Brook	I-Beams with Jack Arches	4,000	25,000
Hebron	093/101		17-5½	21-9	Brook	I-Beams with Jack Arches	10,000	25,000
Hollis	059/028		17-5	31-6	Nississit River	I-Beams with Jack Arches	8,000	32,000
Jefferson	091/105		18-0	18-9	Priscilla Brook	I-Beams with Jack Arches	20,000	20,000
Jefferson	030/101		18-9	11-9	Meadow (Equalizer)	I-Beams with Jack Arches	10,000	10,000
Jefferson	089/099		19-2	12-0	Meadow (Equalizer)	I-Beams with Jack Arches	12,000	12,000
Jefferson	087/096		16-9	54-0	Israel River	Thru Pony Warren Truss	60,000	60,000
Jefferson	171/053		15-4	27-6	S. Br. Israel River	Jack Arches	15,000	15,000
Keene	161/154		19-0	14-5	Beaver Brook	I-Beams with Jack Arches	500	15,000
Keene	177/050		21-0	50-0	Minnewawa Brook	R. C. Deck on I-Beams	1,000	10,000
Lancaster	039/105		14-9½	254-6	Connecticut River	Wood Covered	34,000	300,000
Lancaster	179/098		17-6	20-11	Burnside Brook	I-Beams with Jack Arches	1,600	16,000
Laudaff	084/147		18-4	19-9	Mill Brook	R. C. Slab	1,700	8,000
Lisbon	104/064		18-5	11-0	Pearl Lake Brook	R. C. Slab	1,000	8,000
Lyme	052/153		17-1	159-6	Connecticut River	2 Steel Warren Truss	80,000	80,000
				159-9	2-spans			
Madbury	088/084		16-2	29-9	Bellamy River	I-Beams with Jack Arches	88,000	88,000
Madison	093/096	N.H. 113	18-0	14-0	Forest Brook	I-Beams with Jack Arches	16,000	16,000
Milan	218/060		18-0	55-6	Stearns Brook	R. C. Slab on I-Beams	2,000	25,000
Milau	207/091		21-0	15-7	Leavitt Stream	R. C. Box Culvert	1,700	16,000
Milford	076/152		15-11	21-10	Purgatory Brook	I-Beams with Jack Arches	21,000	21,000
Milford	110/110		21-7	12-5	Great Brook	Stone Slab	24,000	24,000
Milford	096/147		21-11	13-6	Hartshorn Brook	Twin Box Culvert	13,000	13,000
Milford	062/138		16-8	146-2½	Southegan River	Thru Pratt Truss	8,000	150,000
Milton	105/124		19-4	38-10	Branch River	R. C. Tee Beam	10,000	40,000
New Boston	045/131	N.H. 136	21-8	15-0	Middle Br. Piscataquog	Twin Stone Box Culvert	5,000	5,000
New Ipswich	113/074		17-10	15-4	Pratt Pond Outlet	I-Beams with Jack Arches	1,500	15,000
Newport	116/142		13-3	80-8	Groydon Branch	Wood Covered	1,000	80,000
Northfield-Tilton	128/158	N.H. 140	17-0	125-8	Winnepesaukee River	Steel Pony Warren Truss	96,000	96,000

Town	Bridge Number	Route Number	Bridge Width Feet-Inches	Clear Span	Stream	Type	Repair Cost	Const. Cost
Northfield	133/156	N.H. 140	20-2	16-5	Brook	I-Beams with Jack Arches	10,000	10,000
Northfield	048/060		17-11	11-4	Cross Brook	I-Beams with Jack Arches	7,000	7,000
Northumberland	141/059		15-6	270-10	Connecticut River	Steel Pratt Truss	25,000	250,000
Nottingham	149/085	N.H. 152	20-0	24-0	North River	I-Beams with Conc. Jack Arches	40,000	40,000
Orange	081/099		17-5	22-3	Orange Brook	I-Beams with Jack Arches	21,500	21,500
Ossipee	141/235		20-11	16-9	Overflow Dam Hole R.	I-Beams with Jack Arches	1,000	16,000
Ossipee	145/236		21-10	23-6	Dam Hole River	I-Beams with Jack Arches	2,000	4,000
Pelham	105/099	N.H. 111A	23-2	37-0	Beaver Brook	Twin Stone Arch	54,000	54,000
Pelham	110/082	N.H. 38	23-2	39-0	Beaver Brook	Twin Stone Arch	54,000	54,000
Peterboro	162/170	N.H. 136	18-0	18-0	Outlet Otter Lake	I-Beams with Jack Arches	19,500	19,500
Peterboro	127/133	N.H. 136	21-5	21-0	Otter Brook	I-Beams with Jack Arches	2,000	21,000
Pittsfield	103/101	N.H. 107	12-8	12-8	Outlet Keenans Lake	Flagstone Slab Culvert	15,000	15,000
Plymouth	087/152		11-1	140-5	Baker River	Wood Covered	8,500	140,000
Randolph	040/044		15-1	31-0	Israel River	I-Beams with Jack Arches	4,300	15,000
Richmond	114/136	N.H. 32	17-0	17-4	Martin Brook	Conc. Slab on I-Beam	20,000	20,000
Salem	097/181	N.H. 111	23-6	16-3 1/2	Spickett River	Conc. Slab	1,000	16,000
Sanbornton	123/156	N.H. 3B	20-2	10-0	Hadley Brook	Box Culvert	1,000	6,000
Sharon	061/098		19-4	16-10	Town Line Brook	I-Beams with Jack Arches	3,000	6,000
Sharon	078/035	N.H. 124	19-0	18-6	Gridley River	I-Beams with Jack Arches	25,000	25,000
Shelburne	075/110		11-7	131-6	Androscoggin River	Thru Warren Truss	1,800	140,000
Shelburne	122/110		14-9	21-3	Androscoggin River	Plank on I-Beams	2,500	21,000
South Hampton	069/087		14-4	20-6	Pow Wow River	Planks on I-Beams	21,000	21,000
Stewartstown	114/095	N.H. 3	16-4	13-6	Cedar Brook	R. C. Flat Slab	11,000	15,000
Stratford	098/064		10-0	146-0	Connecticut River	Thru Pratt Truss	16,000	150,000
Stratford	107/074		16-0	32-6	Stratford Bog Brook	I-Beams with Jack Arches	7,000	32,000
Sunapee	122/178		21-2	10-6	Stony Brook	Plank on I-Beams	2,000	11,000
Sunapee	122/168		17-9	19-6	Outlet Otter Pond	Corr. Steel on I-Beams	24,000	24,000
Surry	100/130	N.H. 12A	17-10	10-1	Brook	R. C. Box	2,000	10,000
Swanzy	136/143		17-0	137-3	Ashuelot River	Wood Covered	14,000	150,000
Tamworth	032/051	N.H. 113A	13-8	20-0	Wonalancet River	Wood Floor on Steel Rails	18,000	18,000
Tamworth	044/080	N.H. 113A	15-10	32-6	Wonalancet River	Plank on I-Beams	8,000	32,000

<i>Town</i>	<i>Bridge Number</i>	<i>Route Number</i>	<i>Bridge Width Feet-Inches</i>	<i>Clear Span Feet-Inches</i>	<i>Stream</i>	<i>Type</i>	<i>Repair Cost</i>	<i>Const. Cost</i>
Walpole	183/081		14-0	25-6	Great Brook	Steel Rail Truss	20,000	20,000
Walpole	199/109		14-10	11-0	Houghton Brook	Stone Slab on Steel Rails	12,000	12,000
Warren	102/092	N.H. 25C	18-0	14-1	Black Brook	Concrete Arch	15,000	15,000
Westmoreland	111/072	N.H. 63	15-1 1/2	36-0	Partridge Brook	Conc. Flat Slab on I-Beams	40,000	40,000
Wilton	129/126	N.H. 31	16-5	77-6	Souhegan River	R. C. Arch	30,000	80,000
Wilton	063/105		19-4	30-8	Blood Brook	Twin Span Stone Arch	5,000	30,000
Woodstock	197/088		14-7	182-0	Pemigewasset River	Wood Covered	5,000	200,000
Woodstock	205/078	N.H. 175	12-11	70-6	Eastman Brook	Pony Warren Truss	70,000	70,000
GRAND TOTAL							\$1,851,000	\$4,907,000

State of New Hampshire
Department of Personnel

January 14, 1965

The Honorable Stewart Lamprey
President of the Senate
New Hampshire General Court
State House
Concord, New Hampshire

Dear Mr. President:

In accordance with the requirement of RSA 98:17-a that the Department of Personnel submit to the General Court on or before January 15 of each legislative year a list of all new positions created by Governor and Council during the period from January 1, 1963 to January 1, 1965, this is to report that no new permanent positions were established.

However, while no new permanent positions were established during this period, 136 temporary positions were extended beyond a one year period by Governor and Council. These positions are shown on the attached form by agency and date of continuation. For the most part departments are asking that they be continued on a permanent basis for the next biennium.

Respectfully,
Roy Y. Lang
Director of Personnel

January 14, 1955

Governor and Council Approval of Temporary Positions Beyond 12 Months

<i>Department</i>	<i>Date of Approval</i>	<i>No.</i>	<i>Title of Temporary Position</i>	<i>Salary Range</i>
ADMINISTRATION & CONTROL:				
Purchase & Property	5-1-64	2	Building Service Worker I	2737.80-3115.84
RESOURCES & ECONOMIC DEVELOPMENT:				
Office of Commissioner	1-16-64	1	Information Representative	3819.40-4539.34
Design, Dev. & Maintenance	5-29-64	1	Maintenance Mechanic II	3819.40-4539.34
Div. of Economic Dev.	8-30-63	1	Design Draftsman	4764.24-5644.34
Div. of Parks	6-28-63	1	Clerk Stenographer II	3196.70-3688.62
	8-30-64	1	Maintenance Mechanic I	3311.10-3801.20
Div. of Resources Dev.	5-1-64	1	Laborer	2963.48-3460.60
N. H. Water Resources Board	11-1-63	1	Project Agent	5226.00-6226.22
EDUCATION:				
Plymouth Teachers College	4-15-63	1	Laborer	2963.48-3460.60
Vocational Education	1-16-64	1	Supv. of Manpower Dev. & Trng.	5457.40-6577.22
	1-16-64	1	Clerk Stenographer II	3196.70-3688.62
	5-1-64	1	Principal, Manpower Dev. & Trng. Sch.	6927.18-8247.20
	5-1-64	1	Clerk Stenographer II	3196.70-3688.62
	5-1-64	1	Maintenance Mechanic II	3819.40-4539.34
	5-1-64	2	Instructor of Auto Mechanics	5226.00-6226.22
	5-1-64	2	Instructor of Auto Body Repair	5226.00-6226.22
	5-1-64	2	Instructor of Printing	5226.00-6226.22
	5-1-64	2	Instructor of Outboard Motor Repair	5226.00-6226.22

<i>Department</i>	<i>Date of Approval</i>	<i>No.</i>	<i>Title of Temporary Position</i>	<i>Salary Range</i>
HEALTH & WELFARE: Div. of Mental Health	12-2-63	1	Medical Stenographer II	3647.02-4370.08
	12-2-63	1	Cook II	3311.10-3801.20
	12-2-63	1	Building Service Worker II	2963.48-3460.60
	12-2-63	1	Clerk Stenographer III	3391.96-4001.14
	12-2-63	1	Community Planning Associate	6580.86-7900.88
Laconia State School	6-29-64	8	Attendant I	2963.48-3460.60
	6-29-64	1	Charge Nurse	3819.40-4539.34
	6-29-64	1	Food Service Worker II	2963.48-3460.60
	6-29-64	1	Dir./Coord. of In-Service Training	5751.46-6871.28
	6-29-64	1	Clerk Stenographer II	3196.70-3688.62
New Hampshire Hospital	9-16-63	1	Dormitory Supervisor	3311.10-3801.20
	9-14-64	1	Nursing Instructor	4533.36-5413.46
	9-14-64	2	Asst. Nursing Instructor	4008.16-4728.10
	9-14-64	1	Clerk Stenographer II	3196.70-3688.62
	9-14-64	1	Nurse Consultant	500.00 annually
Div. of Public Health	2-28-64	1	Clerk Typist II	3081.26-3575.26
	5-1-64	1	Nurse Coordinator	5200.00
	5-1-64	1	Medical Stenographer II	4008.00
	5-1-64	1	Clerk Stenographer III (½ time)	1696.00
	5-1-64	1	Medical Bacteriologist	5463.64
Div. of Welfare	5-1-64	1	Medical Laboratory Worker	3391.00
	5-1-64	1	Clerk Typist I	2737.80
	3-15-63	1	Child Welfare Worker	4197.18-4917.12
	12-30-63	1	Supv. of Quality Control	6580.86-7900.88
	2-28-64	9	Child Welfare Worker Trainee	3819.40-4539.34

<i>Department</i>	<i>Date of Approval</i>	<i>No.</i>	<i>Title of Temporary Position</i>	<i>Salary Range</i>
	2-28-64	1	Clerk Stenographer II	3196.70-3688.62
	2-28-64	1	Clerk Stenographer I	2824.90-3200.86
	6-12-64	1	Asst. Chief of Staff Development	7273.50-8593.52
INDUSTRIAL SCHOOL:	1-16-64	1	Cottage Assistant	3311.10-3801.20
LABOR:	8-30-63	1	Clerk Typist II	3081.26-3575.26
LIQUOR COMMISSION:	12-30-64	1	Retail Store Clerk	3755.44-4400.50
PUBLIC WORKS & HIGHWAYS:	4-15-63	1	Alpha, Printing Punch Operator	2963.48-3460.60
	8-30-63	15	Engineering Aide I	2963.48-3460.60
	8-30-63	2	Engineering Aide II	3196.70-3688.62
	8-30-63	2	Civil Engineer I	4487.34-5351.32
	8-30-63	2	Civil Engineer II	5162.30-6026.28
	12-2-63	1	Engineering Aide I	2963.48-3460.60
PUBLIC WORKS & HIGHWAYS:	1-16-64	1	Maintenance Utility Inspector	4008.16-4728.10
	1-16-64	1	Right-of-Way Appraiser III	5751.46-6871.28
	1-16-64	1	Right-of-Way Appraiser II	4963.66-5963.62
	1-16-64	1	Right-of-Way Abstractor II	4764.24-5644.34
	2-28-64	1	Civil Engineer I	4487.34-5351.32
	5-1-64	2	Building Service Worker I	2737.80-3115.84
	5-1-64	1	Groundsman	3196.70-3688.62
	5-1-64	3	Engineering Aide I	2963.48-3460.60
	9-2-64	4	Engineering Aide I	2963.48-3460.60
	9-2-64	2	Highway Technician I	3535.74-4141.80
	9-2-64	1	Civil Engineer I	4487.34-5351.32

<i>Department</i>	<i>Date of Approval</i>	<i>No.</i>	<i>Title of Temporary Position</i>	<i>Salary Range</i>
	9-2-64	1	Civil Engineer II	5628.74-6778.72
	9-14-64	1	Civil Engineer I	4487.34-5351.32
	10-16-64	1	Civil Engineer II	5628.74-6778.72
SAFETY:				
Div. of Motor Vehicles	2-15-63	1	Clerk Typist II	3081.26-3575.26
Div. of Safety Services	9-2-64	1	Licensing Officer	3819.40-4539.34
Div. of State Police	5-1-64	5	Clerk II	2963.48-3460.60
N. II. TRAFFIC SAFETY COMMITTEE:	9-2-64	1	Executive Secretary	7000.00
STATE PRISON:	7-17-64	1	Prison Inside Guard	3391.96-4001.14
STATE LIBRARY:	10-2-64	1	Asst. Catalog Librarian	5400.20-6512.38
	10-2-64	4	Bookmobile Supervisor	4197.18-4917.12
	10-2-64	5	Clerk Typist II	3196.70-3688.62
	10-2-64	1	Clerk Typist I	2737.80-3115.84
	10-2-64	1	Dir. of Ext. & Library Dev.	7177.04-8629.66
	10-2-64	1	Multilith Machine Operator I	3535.74-4141.80

State of New Hampshire
Public Utilities Commisison

January 14, 1965

Stewart Lamprey, President of the Senate
Senate Chamber
State House
Concord, New Hampshire

Dear President:

We have placed on the desk of each member of the Senate a copy of our Biennial Report to the Governor and Legislature, and wish to state that extra copies of this report are available for any who may wish them, at the offices of the Public Utilities Commission, Room 208, State House Annex.

We would be pleased to have you make an announcement to the Senate to this effect, together with a notice in the Senate Journal.

Sincerely yours,

N. H. Public Utilities Commission
Frederick N. Clarke
Chairman

On motion of Senator Martel, the rules of the Senate were so far suspended as to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Senator Green requested members of Committee on Military & Veterans' Affairs to meet with her in one corner of the Senate Chamber immediately following adjournment.

Senator Johnson requested members of Committee on Agriculture to meet with him in the Chamber following adjournment.

Senator Rinden requested members of Judiciary Committee to meet with him at the press table after adjournment.

On motion of Senator Gardner, the Senate adjourned at 11:32 a.m.

WEDNESDAY, January 20, 1965

The Senate met according to adjournment.

Senator Mitchell, District No. 3, presiding.

The Chair announced that a quorum was present.

Introduction, First & Second Reading of Senate Bills

SB 20, relating to *administrative committee* of the *district* and *municipal courts*. (Johnson) Referred to Judiciary Committee.

SB 21, relating to *appeals* from *district or municipal courts*. (Johnson) Referred to Judiciary Committee.

Resolution

Senator Howard offered the following Resolution and moved its adoption:

Senate Resolution

Establishing a Special Committee to
Consider Reapportionment of the Senate.

Whereas, Because of the decision of the United States Supreme Court, the senatorial districts will have to be reapportioned to conform thereto, and

Whereas, This will entail a great deal of effort and consideration and a bill providing for such reapportionment should be handled as a separate and distinct matter from any other legislation, now therefore be it

Resolved, That a committee (to be known as the Reapportionment Committee) is hereby established consisting of five members of the Senate to be appointed by the President, to consider the question of reapportionment of the Senate and to prepare and present a bill providing for the same.

The above Resolution was unanimously adopted.

Pursuant to the above, the President named as members of such Reapportionment Committee, Senators Howard, Mitchell, Buchanan, Lamontagne and Blaisdell.

The Chair recognized Senator Green: "Mr. President, having learned that today is the birthday of our genial and beloved Clerk of the Senate, Ben Greer, I would ask the members to join with me in a round of applause for our Clerk and best wishes to him for many, many more years of good health."

The Clerk expressed his sincere thanks to the members of the Senate.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Senator Gove announced that arrangements have been made for the members of the Public Works Committee to go to Portsmouth next Wednesday, January 27th, for a Joint Hearing at the Portsmouth High School, to leave here at 12:30 o'clock.

On motion of Senator Blaisdell, seconded by Senators Johnson and Martel, the Senate adjourned at 11:35 a.m. to meet tomorrow morning at 11 o'clock.

THURSDAY, January 21, 1965

The Senate met according to adjournment.

Senator Buchanan, District No. 12, presiding.

The Chair announced that a quorum was present.

Introduction of Guest

Senator Green introduced to the Senate her younger daughter, Miss Hinda Green.

Introduction, First & Second Reading of Senate Bill

SB 22, to authorize the practice of mechanical dentistry. (Lamontagne) Referred to Public Health, Welfare & State Institutions.

Order Vacated

Senator Johnson moved that the rules be suspended, whereby the following entitled bill was referred to the Committee on Finance be vacated, and that the bill be read a third time and passed at the present time:

SB 16, relative to compensation of Assistant Clerk of the Senate.

Senator Johnson explained: "This is the bill which provides for the payment of the salary of the Assistant Clerk of the Senate, Wilmont White. At the opening of the Senate, we voted to set up the job as Assistant Clerk and now that he has the job, he has to be paid. That is what the bill does."

Seconded by Senator Blaisdell, and unanimously voted.

Third Reading and Final Passage of Bill

SB 16, relative to compensation of Assistant Clerk of the Senate.

Announcement by the Clerk

Any member of the Senate may make application for their 1965 registrations and those of their constituents through Roy Morrill, Department of Safety.

Changes in Listing of Judiciary Committee Hearings

Senator Rinden called to the attention of the members of the Senate several changes in the listing of Judiciary Committee hearings in the Calendar under January 26.

Notice to Reapportionment Committee

Senator Howard requested the members of the above Committee to meet briefly with him in the Dartmouth corner following adjournment.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

On motion of Senator English, the Senate adjourned at 11:22 a.m. to meet next Tuesday morning at 11 o'clock.

TUESDAY, January 26, 1965

The Senate met according to adjournment.

Senator English presiding.

The Chair announced that there was a quorum present.

Introduction of Guests

As guests of Senator Lamontagne, the following guests were introduced to the Senate: Vidia Caballero and Oscar Zeiser, exchange students from Chile visiting in Berlin, New Hampshire; Claire Lamontagne, the daughter of the Senator; Cynthia Robinson and Kathleen Poisson; Danny Lamontagne, the nephew of the Senator; and Sylvio Lamontagne, brother of the Senator; all from Berlin.

Introduction, First & Second Reading of Senate Bill

SB 24, to provide personnel and funds for the *department of health and welfare*. (Senators Lamprey and Johnson) Referred to Joint Finance and Public Health.

Committee Report

Senator Martin, for Committee on Finance:

SB 1, to adjust classified *salaries* of *state employees*. Ought to pass with amendment.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Salary Policy and Increase*. Amend RSA 99:1 as amended by 1957, 274:1 and 1961, 221:1 by striking out said section and inserting in place thereof the following: 99:1 *Salaries I. Policy*. It is hereby declared to be the policy of the State of New Hampshire that the salaries and wages paid to classified state employees ought to be fair, equitable, and comparable to those paid for similar work as follows: (a) That salaries and wages paid for jobs unique to state service in New Hampshire be comparable to the averages paid for those jobs in the other five New England States, and (b) that salaries and wages paid for jobs which are common to state service and private businesses in New Hampshire be comparable to the averages paid for jobs in these categories in this State. II. *Salary Ranges*. The

salary ranges for all classified state employees are hereby established as follows:

<i>Salary Grade</i>	<i>Minimum</i>	<i>Maximum</i>
1	\$3257.80	\$3635.84
2	3344.90	3720.86
3	3430.96	3805.88
4	3486.60	3980.60
5	3602.30	4095.26
6	3716.70	4280.12
7	3831.10	4530.24
8	3911.96	4780.10
9	4055.74	5030.22
10	4220.06	5330.00
11	4400.24	5630.04
12	4600.18	5930.08
13	4800.12	6230.12
14	5000.06	6530.16
15	5300.10	6830.20
16	5600.14	7130.24
17	5900.18	7430.02
18	6200.22	7730.06
19	6500.00	8030.10
20	6800.04	8330.14
21	7100.08	8630.18
22	7400.12	9030.06
23	7700.16	9430.20
24	8000.20	9830.08
25	8300.24	10230.22
26	8600.02	10630.10
27	8900.06	11030.24
28	9200.10	11430.12
29	9600.24	11830.00
30	10100.22	12330.24
31	10700.04	12930.06
32	11400.22	13630.24
33	12100.14	14430.00
34	12800.06	15330.12

2. *Interpretation of Provisions.* Amend RSA 99:3 as amended by 157, 274:2 and 161, 221:2 by striking out said section and inserting in place thereof the following: 99:3 *Increase in Salary.* Classified employees of the state as of April 1, 1965 shall be placed in the corresponding steps in the new

salary ranges as their length of services justifies and their annual salaries shall be in accordance with the salary scale set forth in section 1. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

3. *Appropriation.* There are hereby appropriated for the fiscal year ending June 30, 1965, for the salary increases provided herein the following sums: \$554,621.83 from the general funds of the state, \$335,584.89 from highway funds, \$45,732.71 from fish and game funds, \$91,779.30 from federal funds and \$37,656.32 from self-sustaining funds. There are hereby appropriated for the fiscal year ending June 30, 1966 for the same purpose, the following sums: \$2,218,487.32 from general funds of the state, \$1,342,339.58 from the highway funds, \$182,930.83 from fish and game funds, \$367,117.17 from federal funds, and \$150,625.28 from self-sustaining funds. Like amounts chargeable to the same funds are hereby appropriated for the fiscal year ending June 30, 1967.

4. *Takes Effect.* This act shall take effect as of April 1, 1965.

Senator Lamprey: "I move that the reading of the amendment be dispensed with — it is printed in the Journal which we now have before us. If this motion is carried, I would further move that this matter be made a Special Order of Business for Wednesday morning (tomorrow) at 11:01 in order that any members having questions may seek out that information."

The motion to dispense with the reading of the amendment carried.

On motion for Special Order, the Chair recognized Senator Lamontagne: "Tomorrow the Public Works Committee is leaving for Portsmouth at 10:30. I have just received this information — too late to use it. I would oppose the motion for Special Order for tomorrow because members of the Public Works Committee will not be here."

Senator Lamprey then stated he would amend his motion for Special Order to be for Thursday, this week, at 11:01.

Senator Martel inquired if he would amend the motion to make it Special Order for Tuesday, February 23rd and explained the reason for this request: "Coming here this morning,

we were handed a copy of the Journal of last Thursday with the Senate Finance Committee amendment to SB 1. This is the first opportunity that I have had to read the amendment. It has been customary in the past to give adequate time to the members of this body to study any proposed amendment. I came here this morning, picked up the Journal of last Thursday and see the amendment to Senator Rinden's bill. I have a copy of a Minority report of the personnel committee study and also a copy of the action taken by that committee apparently last Friday. I have three proposals before me and frankly I cannot in good conscience act upon them this morning or on Thursday. It seems to me the epitome of stupidity to act on this bill at this time; before we see what the Governor's budget message may be. It seems only logical to me to see how much money is available for the state employees. I am a labor man — everybody knows that — I wish to give to the state employees as much as they deserve. Also, at this time, we are unable to determine which is the better proposal. I find that there is merit in all three of them. I find that there is merit in the original bill. I feel in one amendment the upper echelon will benefit more. I find that the minority of the committee who were responsible for personnel recommendations would like to see some other things adopted by this body. I frankly admit I cannot vote on these measures today, or Thursday for that matter. It is better to think this over and see where we can actually be of service to these employees. I wish to reiterate again, I am not against a raise for the state employees. I am willing to vote for whatever, depending what money is available. I would ask the members of this body to go along with this motion. There is no hurry. The provision takes effect on April 1st, so what is the hurry. I don't think that we are in that much of a hurry. I would request your support."

Senator Lamprey: "I would ask Senator Martel, is there no sense of urgency relative to a pay raise for the state employees. I think there is. I would say that I have seen this urgency and I will relate some of these facts later in the session today. I think it is a well known fact if you do your homework — no matter what level you may seek them out — New Hampshire is at the very lowest echelon. It is time we did something for the state employees. These proposals are not particularly new. These formulas have been known for a week or ten days. The Finance Committee has been studying them. They are unani-

mous in their opinion that they too wish to do something for the lower paid employees in the State of New Hampshire. That is exactly the reason we have unanimously adopted this amendment. For the first time in my memory, we will be paying a higher rate per hour than we have ever paid before, and this is a good thing — a step in the right direction. I asked the delay for today until Thursday because I felt that it was the fair thing to do, in order that everyone might have an opportunity to look into the salary scales. This formula is a little complex, I admit it, but you are not going to be any more right on the 23rd of February than on Thursday next and therefore, I would hope that you would vote down the motion. I feel we must do something for the state employees and do it now. Everybody in this room is agreed. You are going to lose some of your better employees if you dilly-dally around. Let's get on with our work. Let's do our homework and pass legislation that will make progress."

Senator Martel: "Let me remind the Senator from the 4th District — I do my homework. He has had an advantage. He has had a chance to read this over the weekend. I asked Senator Rinden when he heard about it — he found it in the newspapers. This is not a fair way of approaching any legislation that appears before this body. Last week, we came in and we were working on the corrected Journal of January 6th. All that we could do was just to scan over it before voting. I found that some of my remarks had not been included. One was my reference to Senator Lamprey. I congratulated him on his election — I made the motion to make this unanimous: pledged that we would work together, but do not go along with this."

Senator Rinden: "I rise to say that I do think Senator Lamprey realizes that we should be given a day or two more. That is a reasonable request. We are willing to accept the need that has been requested. I agree with Thursday. There is a real urgency."

Senator Martel inquired of Senator Rinden: "Do you feel that it is a fiscal responsibility to act upon a measure to appropriate money before we find out what the budget message is going to be?"

Senator Rinden: "Senator Lamprey has said this has been staring us in the face for the past 4 years. I know the need exists and we have a pretty good idea what our resources are going to

be. I would say that we have ample facts in our hands at this time and I think we should go ahead and act on it. I know the Governor has expected us to go ahead with this problem."

Senator Martel: "The Governor feels that it is only fair for the Senate to wait until the Governor's budget message."

Senator Foley: "I am very interested also in the higher and lower echelon. I have never received a copy of this amendment. How am I to vote intelligently on this?"

Senator Lamprey: "I would answer Senator Foley — the proposed amendment was printed in the Journal of last Thursday — at least, the amendment is printed in my Journal."

Senator Foley: "I have not seen the amendment."

Senator Martel inquired of Senator Lamprey: "When did you first see the amendment or become aware of it? At the Finance Committee hearing?"

Senator Lamprey: "We have been aware of the need to the lower salary employees for some time. It was merely a matter of working out the formula. This was worked out and agreeable to the Finance Committee. We have it in good form and ready to go. I am not in favor of putting many things through in the last days of the session."

Senator Blaisdell inquired of Senator Lamprey: "I have heard in this room at the hearings that we are working from grade 20 on. Listening to this motion, are we not also interested in raising some in the first?"

Senator Lamprey: "I am glad you asked that. That is exactly what this amendment tries to do. To retain the employee that we wish to retain — labor grade No. 1 through 34. We are concerned about every state employee."

Senator Blaisdell: "Certainly this group from 1 to 19. I think I have made my point."

Senator Riley: "I have not previously had an opportunity to read this. I find that the Committee has recommended an amendment to lower Grade No. 1 from \$3,597.00 and the amended figure is \$3,257.00. This is a reduction of \$8 per week in grade 1. How can any committee come in here and say they are recommending a raise when they are decreasing the salary?"

Senator Lamontagne requested Senator Lamprey to explain the first 9 grades as the amendment proposes.

Senator Lamprey: "We are not at this time discussing the merits. The question is on the date. We will have ample time to discuss this and I am sure that we will have ample time to look at grade 1 through 9 if the motion for Special Order prevails. I would hope that we would vote down the amendment and go ahead about our business."

Senator Lamontagne: "I did not have the opportunity to read the amendment in the Journal. I was very busy this morning doing other things. I knew nothing about it other than SB 1 was coming on the floor of the Senate. I ask that this be explained in order that I might know, if we should act on this bill Thursday. I will be very busy tomorrow and have no time. I wish to make a decision whether we should wait to receive the Governor's message or whether we should act on Thursday."

Senator Buchanan: "It seems to me that the issue here is getting bogged down — whether we should receive the Governor's message before we give the state employees a raise. This raise concerns human beings. We are faced with the salary increase for April 1st. I understand that the Governor's budget message will be for the ensuing biennium."

Senator Martel: "I would like to remind the Senator from the 12th District that I have just as much concern for those human beings as he has. I do not wish to belabor this question — the reason I ask for this delay is because the Governor is vitally interested in giving these state employees a raise. There is time enough from February 23 to April 1st. I cannot support the motion for Thursday."

Senator Johnson: "The question that is before us right now is whether or not this bill should be put off for consideration beyond Thursday. This matter was before the Senate Finance Committee. It had a good hearing. A full discussion of the full Senate Finance Committee. Serious consideration was given to proposals received. The Committee discussed them at each level and decided upon the one which is in the Journal. We have 2 days in which to consider this matter. I am also convinced that this is ample time. I think it is of the utmost importance that we take steps now to tell the state employees that there will be no further delay. Last session, there was delay, delay, delay, and

then it was July 1st and there was no bill at all. If this bill is to be put over again for a full month, I believe that the morale of the state employees would be shaken. I believe we have the facts and we should take action on Thursday. I will ask my colleagues to vote no on the motion."

Senator Paquette inquired: "Why don't we get our Journals on Saturday as we always did in the past?"

Senator Foley: "These people on the Public Works Committee — they are going to Portsmouth tomorrow. They are taking a boatripe — for the overhead bridge project. They are going to the shipyard. They are going to attend a public hearing in the evening. I do not see how these people could be expected to study this amendment in any way, shape or manner. I do not wish to see the morale of the state employees any lower. I do not think it will help if we pass this amendment before we have all read it. I cannot see how we are helping a majority of the state workers in this way."

Senator Lamprey: "I am not disregarding what Senator Foley has said about the lower paid employees."

Senator Buchanan moved the previous question.

Question being on motion of Senator Martel that further consideration of the above bill and amendments be made a Special Order of Business for Tuesday, February 23rd, at 11:01.

On this question, Senator Martel demanded a Roll Call.

The following Senators voted in the affirmative: Lamontagne, Blaisdell, Paquette, Riley, Martel, Provost and Foley.

The following named Senators voted in the negative: Martin, Lamprey, Johnson, Gardner, Howard, Saggiotes, Gove, Buchanan, Rinden, Green, Waterhouse, Bergeron, Tufts and Hunter.

Seven Senators having voted in the affirmative, and fourteen Senators having voted in the negative, the negative prevailed, and the motion was lost.

Question now being on motion of Senator Lamprey that further consideration be Special Order of Business for Thursday, next, at 11:01, in regard to SB 1.

Senator Lamontagne inquired if it would be possible to make this for 11:01 next Tuesday in order that he might have

an opportunity to work on this amendment. Asked if there was objection.

Senator Lamprey replied: "I will amend my motion in the interest of the minority party, in particular, who find it difficult to make a decision between now and Thursday. I would maintain that there is a sense of urgency about it. Apparently, with some members here there does not seem to be any urgency. But out of deference to Senator Lamontagne, I will amend my motion or make a new motion."

The Chair: The original motion has been withdrawn and the substitute motion is that this be made a Special Order of Business for Tuesday next at 11:01.

Senator Martel: "One thing clear. I resent very much the inference that someone in this Chamber does not feel that there is an urgency. Speaking for myself, there is an urgency. However, I do feel that after the Governor's budget message has been received, that the February 23rd date would be ample time for my colleagues to study the pay bill. If you wish it this way, we will try and go along with the majority."

Question being on motion that further consideration of SB 1 and proposed amendment be made Special Order of Business for next Tuesday at 11:01.

The affirmative prevailed, and the motion carried.

Resolution

Senator Green, on behalf of Senator English, offered the following Joint Resolution; which was unanimously adopted:

The Legislature of the State of New Hampshire shares with the people of our Nation the deep sorrow occasioned by the passing of Sir Winston Churchill. He led his nation during tumultuous years. All freedom loving people esteem his leadership in defense of liberty. We note at this time that Sir Winston was made an honorary American citizen in recognition of the high esteem in which he was held by the American people. In his passing, the Legislature of the State of New Hampshire shares this deep sorrow with the world.

Senator Martel: "Just for the record, in case someone might have any misgivings, I would be very happy to go along with Senator Green, my colleague."

Senator Foley: "I have a question regarding the Journal. I did do my home work over the weekend and I have been reading the back Resolutions in the Journals. Who decides on a Resolution going into the Journal? On January 12th, I offered a Resolution. It was read by the Clerk and it was referred, but it does not appear in print in the Journal. Who decides on what is printed in the Journal?"

The Clerk replied: "If a Resolution was referred—it is now in the hands of the committee. It will be put in the corrected Journal."

Senator Lamprey: "I think I can help clarify this question, for Senator Foley. The Resolution was referred to Committee and therefore it is only necessary to refer it by title. It is in the hands of the Judiciary Committee at this time. It makes a difference if it is taken up immediately, or referred and brought on the floor later, whether or not it is printed in the Journal."

Senator Foley: "I do not intend to argue, but I would like it in the Journal. I would like to have it printed as my constituents are interested in seeing it."

Senator Lamprey: "I move that the rules be so far suspended as to dispense with the printing of SB 24, to provide personnel and funds for the department of health and welfare, that referral to Committee, and holding of public hearing be dispensed with, and that the bill be taken up at the present time, placed on third reading and final passage at the present time."

Senator Martel inquired as to the nature of the bill.

Senator Lamprey: "This is a bill that has to do with the problems dealing with mental health and I believe that each and every Senator has on his desk a copy of SB 24. I would like to first say that I have been concerned for many months about the problems of mental health in the State of New Hampshire, but was not in a position to do anything about it until I attained the seat in the State Senate, and now I feel that there is a profile of urgency to do something about this problem, and I would like to take this opportunity to tell you what this bill is and what it will do. There has been considerable research done on this matter over the past seven days by myself and other members of the Finance Committee. Let me say first, in order to clarify this bill in its proper context — I held a meeting a

week ago today with the head of the Department of Health and Welfare, with the Director of the Laconia State School, Dr. Niswander of the New Hampshire Hospital, Dr. Kasheta of Glencliff, and the members of the Advisory Commission. At that meeting, in order to get started on this problem of mental health, one of the first statements made by the acting head of the State Hospital was on lack of mental care in the hospital. Dr. Niswander holds the position of Superintendent, Assistant Superintendent, acting Director of Mental Health and from the title (and this is his main job), Director of Psychiatry and Research in the State. He is a man who is trying to perform four different functions. His statement was, and I wrote it down and I submitted it to each member in order that I might say it on the floor of the Senate today, that the patients at the New Hampshire Hospital are not receiving the treatment that they should receive for their mental needs, and the treatment for which they were admitted to the hospital. Medical attention is being given to them for their physical needs. Just think about that for a minute; just think what this means. That we are sending thousands of people in the course of a year to the New Hampshire Hospital and they are not receiving the treatment for which they were sent there — they are receiving adequate physical attention for their ailments but not the psychiatric treatment for which they are in need. I ask you, what are they there for? They are there for treatment of their mental illness. What now does this bill propose to do? First, it gives us a salary range for the 8 psychiatrists that are needed at the state hospital. Administratively, I can see that we have had almost a complete breakdown of administration at the New Hampshire Hospital. Almost a complete breakdown. Primarily, because of the fact that our 3 top administrative jobs have not been filled and 8 so-called professional people's jobs have not been filled. Some of this stems from the fact that some of these are presently tied to the budget, by footnotes on salary increases. In Section 1, fixed salary scale, the salary is not to exceed \$11,764. You cannot get psychiatrists for this salary. They asked to be removed, taken off the budget of the 1965 biennium. In this bill we also recommend in the salaries of the Director of Mental Health at the New Hampshire Hospital, the superintendent, and the assistant superintendent. It would give us a certified pediatrician for the Laconia State School which has none at the present time. They do not have a resident doctor — this would provide a resident doctor who is also a pediatri-

cian. It was decided that this type of doctor would be better than a general practioner. Section 4 deals with an appropriation due to the fact that additional money is needed for food at the Laconia State School, especially those requiring special diets. Also, money for medical care in the field of eyeglasses, x-ray and surgery where the need is great. One other thing — it provides for burials. This happens at the Laconia State School too. I have a memo that there is no shortage of sheets at the New Hampshire Hospital. I have made a personal investigation, and I can tell you that there is a shortage of linen, of bedclothes, johnnies, etc. which was disgraceful. I want to be sure that the patients up there are receiving decent care. With costs in the vicinity of 5 million dollars a year, surely we can at least give them clean and dry sheets to sleep in and I don't think in all cases they are at the present time receiving adequate linen. Section 6 has to do with classified employees. This would enable us to have a much needed geriatric program. It would provide for 2 psychiatric social workers and 7 clerk typists, for the New Hampshire Hospital and 2 clerk typists for the Laconia State School, plus the pediatrician mentioned above. The appropriation for the New Hampshire Hospital would be \$14,000 and \$2,600 for the Laconia State School. The reason for the psychiatric social workers is due to the fact that at the New Hampshire Hospital at the present time, the backlog of work is tremendous. There are between 200 and 300 patients at the hospital ready for release, but there is a lack of social workers to go out in advance to make the necessary contacts to put them into homes, to talk with their relatives, and to do all the things necessary to alleviate the present crowded conditions at the Hospital. I saw beds not 6 inches apart — and I believe that the law requires them to be 3 feet apart. Violations of this law were seen throughout the wards. There is need for more clerk typists at the New Hampshire Hospital, where they are between 3 to 6 months behind in their essential records at the present time. Do you know what this means when you are trying to find out the condition of a patient and the records are 3 to 6 months behind? I tell you it is a disgraceful situation. I would like to point out several other things here. We talked about employees' salaries this morning, and I said there was a sense of urgency — to do something about the hospital salaries at the present time. We found that staff psychologists

are the lowest paid in the United States, with a maximum salary of \$6611. Even though New Hampshire has been fortunate in being able to retain psychologists, the salary is extremely low. It is interesting to note that hospital admissions are up 61% since 1955, but there have been no additions to the staff, and the staff can only operate effectively if it has top administrators. The problem that exists today at the New Hampshire Hospital is the fact that it lacks a head. The blame is on somebody's head that we have not had this. It is imperative that we have a superintendent, an assistant superintendent, and a director of mental health. What has happened here in New Hampshire to our Mental Health Program! We have had a reorganization plan. Yes, we have, but we have seen very little cooperation relative to the urgency to get this thing off the ground. I submit to you that one of the problems at the present time is the fact that there is a tremendous amount of political instability for anybody who is thinking about coming into the State of New Hampshire to work; and therefore, if there was a greater urge to do something, why aren't our reorganization bills ready for us now and ready in this legislature. This was a campaign issue and I remember it well. Let me tell you this — that it is my opinion that conditions at the Hospital are disgraceful. I went through some of these wards at the hospital. I could take my foot and scrape the dirt from the wall. Dirt — dirt not collected there in 1 day or 1 week, but for 2 months. I have seen this stuff before. This is an impossible situation. This breeds disease. When you get large groups like this together, cleanliness is an absolute necessity, but the Hospital lacks cleanliness today. I have seen 1 nurse in charge of 980 patients. This nurse was not walking from patient to patient—she was on the dead run. In the geriatric wards — most of these people were bedridden, and they need a tremendous amount of care. There was 1 nurse to 300 patients. What kind of treatment is this! It is a sorry sight. I read in Leon Anderson's column one day — the people get excited about this — but let me stand here and say to you if there is any way that I can help this situation, I am out to do it. I am not interested in partisanship. I want to see things corrected at the New Hampshire Hospital. I want to see the necessary people hired to make this a better place for the unfortunate people sent there for treatment. Unless we do these things we are up against an impossible problem and this problem starts at the very top, with our Governor of New

Hampshire. Let me relate what I mean when I say that this starts at the very top of this state government. This did not come out at the Advisory Commission meeting or my meeting with state institutions. It came from two individual sources at different times. Some 18 months or more ago when the Advisory Commission asked to have a meeting with the Governor, it was granted. They assembled in the Council Chamber. The Governor came out and shook hands with everybody all the way around and then left. The Commissioner went in to talk with the Governor and in a few minutes, they came out and this is what was said — one person took it down:

“I was against reorganization. I still am and you will have to show me. You do what you have to do and I will do what I have to.”

Yes, that was the Governor speaking. I would also like to relate to you an instance which involves the person who came to New Hampshire this very month to be considered for the Director of Mental Health. He came highly recommended. I have his background. I have letters of recommendation that came with him. He was a psychiatrist and came all the way from the State of Washington, Dr. Conte. He visited the institution. He met with the Advistory Commission. The Advisory Commission approved him. There was one more step to be taken. That was, of course, to visit the Governor. A meeting was set up. Not directly with the Governor, but with his appointments secretary. In the morning, the meeting was set up for 1:30 in the afternoon. About noontime, the meeting was cancelled out with this message: “If you have any further candidates, you are to give me a few days’ notice of their appearing here in New Hampshire.” I will grant you that there is nothing wrong with this request—if it is humanly possible to try and set up an appointment in advance, of course you do so. But the important point here is that most of us, I think, would have done practically anything to have gotten this program off the ground. Here was a fellow all the way over here from the State of Washington. He left, without ever having been interviewed and we do not have today a Director of Mental Health. I say too there is some responsibility for all people at all levels to sit down and talk with one another. I have heard said that ‘talk is cheap’ but at least there is a chance if people sit down and talk over differences and exchange ideas. You help to settle problems that

way. I feel that reasonable progress has been made in the past week regarding this problem because the personnel commission has met. They have increased salaries as of the meeting of January 22. After further discussion with them again the salary ranges in some classes have been raised, the latest in one classification being this morning. So if there is a sense of urgency, you can do these things and I say as a chief executive in the State, the Governor's office in this particular instance has not been cooperative and I don't care if they want to by-pass Jim Barry, as long as they get the job done legally. I am not here to stand up for Jim Barry, but I am concerned about the conditions I have seen last week. We are trafficking in human misery. Let's get off this kick and do something today by the passage of this bill. Yes, I can go on and I can tell you of instances relative to the mental retardation program. I can tell you about other things that I am looking into at the present time, but I am not ready to talk about them because they are not documented. It would be presumptuous to bring them out at the present time. I can assure you of this—this emergency legislation which is now before you is only a very minimum of the things that must be done, and I know for one that I shall be very happy to answer any question relative to the Hospital that I personally know about. You know I went down into one of those buildings—I came across a group of adolescents — a group of young people about the age of the group sitting in the back of this room today. They were mixed in with adult patients. A shameful thing—their having to be in with adult patients, using common toilet facilities. And you say to those young people, if we could help you today, what would be the one thing that you would ask the state to do for you and they answer—give us our own bathroom.

I would like to go into my feelings relative to the buildings there. I think they are inadequate considering today's standards. I think we are going to do things for education, but we must do something for those people who cannot help themselves. This is our responsibility, our very first responsibility. I realize that there are certain pressures in our State that are going to raise havoc with it. They are going to say that I am taking up the hue and cry against reorganization but this is not so. I want to do something about this problem—I want to get it started. I hope the Senate today will help us to pass SB 24."

Sen. Martel: "I am very well known to be a man who speaks his mind and I hold no personal objection against Senator Lamprey, but I do say that these claims should not be made a test at any time. The first day, he asked for our help—I would say is that what we call cooperation. On a matter such as this, this is vitally interesting, and important, but then only the Senators from the 4th and 5th Districts had the privilege of sitting in the Council Chamber. We were not invited to be there. If this had been so, there would be no need for me to make any comment but I have a feeling that it would be just a waste of time. But to me, it is only proper that this bill should be prepared and I would like an opportunity to hear what is going on at the State Hospital. I am sure that Senator Lamprey has stated facts, but I want to hear the other side. I wish the administration to have an opportunity to tell the facts itself. That is not right—no public hearing. God knows I am just as interested in the people in those institutions as the Senator is. I don't care if the administration thinks it is good or not. I will do my best for them. Bring in the bill, hold public hearings—I cannot do otherwise. Let us hear what they have to say. I was hoping to have an opportunity—neither the Senators from District 13, 24 and 20—they were not given an opportunity. I do not think it is unfair to raise this question. I wonder if Senator Lamprey would not agree to postpone action on this only to next Tuesday."

Senator Rinden: "I second the remarks of Senator Lamprey. His observations are well founded. Also very important. As you know, the State Hospital has from 2500 to 3000 patients and the attention given to each of these patients is limited. The daily contact is with the people who supervise them. It is necessary to have these attendants suitable and that means better salary is needed. The most important people as far as these patients are concerned are the people who tell them to get up, and when to go to bed. In the mentally disturbed wards, these people live behind doors with double bolts. They see a doctor not often. I know whereof I speak because I worked there in the summer of 1952. Conditions were not good then and they have not improved since. There is a great deal needed to be done and it must be done. In 1952 when I applied for the job, the nurse asked me when I wanted to come to work. I told her any time, expecting she would say next week, etc. She said follow me. She took me to a disturbed ward. There was only 1

nurse and about 100 patients. I say it is important for young people to have an understanding of this problem. I suggest that the state hospital employees are entitled to a substantial raise just as much as the higher personnel. It is more important that we have adequate nurses and attendants than for the higher personnel."

Senator Foley: "In the last two or three weeks, I have had my share of things having been done in the name of precedent. Things that I never heard of. I was handed a paper and told this is good law. This is precedence. I do not think this is good government. I would hate to come in here and say I have a bill here—I want it passed—no public hearing—just pass it. They would say: Who does she think she is. I don't think we should come in here, with the gallery full of people, and with a lot of hoopla, and say this is going to save New Hampshire—I don't think it is fair."

Senator Martel inquired, if under Senate Rule 34 it needs a two-thirds of those present and voting.

The Chair: This is a motion to suspend the rules. Yes.

Senator Lamontagne: "I cannot see that this is an emergency. I am sure that this emergency as called today has been an emergency for quite a few years. Not only a problem of today, but as far as I can remember, since I have been in this Senate in 1955 we have had problems at the State Hospital and other institutions. We did have a problem at the Laconia State School. A bill was introduced, hearings were held, corrections were made and I am sure the Laconia State School is a lot better than ever before. I cannot see why a bill of this importance should not go through the usual way of public hearings, etc. I would have to be in opposition to the motion to suspend the rules."

Senator Blaisdell: "I would direct my attention to Senator Lamprey. I would hope that you would at least listen to Senator Martel and that we hold it over until Tuesday. I am a freshman member of this body. I would like the time to go over this and would ask it be held over until Tuesday."

Senator Johnson spoke strongly in favor of the bill and the motion.

(Discussion ensued)

Senator Lamprey: "Of course, there is a lot I missed in my recent talk here, but I would ask for a Recess for 5 minutes."

Request granted by the Chair.

(Recess)

The Senate re-assembled.

Senator Lamprey: "I will withdraw my original motion in deference to remarks of Senator Blaisdell on the holding of public hearing, giving information, etc. I would move that the rules be so far suspended as to hold a public hearing on SB 24 at 10 o'clock in Room 120, Annex, on Thursday next, January 28.

Senator Blaisdell inquired: "Would you amend it to next Tuesday?"

Senator Lamprey: "I think there is urgency about this. I think this is reasonable in trying to accede to your request to have a public hearing. I would hope that the Senate would vote to suspend the rules and have the public hearing on Thursday."

Senator Lamontagne inquired if the bill would be printed.

Senator Lamprey replied in the affirmative.

Senator Martel: "After consideration, I was willing to go along with Tuesday. I felt that would be giving the people back home, interested in this problem, a better chance, over the weekend. I feel Thursday is much too fast; only today and tomorrow. I am sorry I cannot go along with the pending motion. I will reiterate, if this motion is defeated, I will present a motion for the bill to be read a first and second time, printed and referred to Joint Public Health and Finance, and not bring it in Tuesday. I think Thursday is too quick and too fast."

Senator Lamprey: "My motion is to hold a public hearing on Thursday."

Senator Bergeron: "If Thursday is not sufficient time, the hearing will be continued?"

Senator Lamprey: "Yes."

Senator Johnson: "I think Senator Martel has confused this situation. The merit of the bill is not to be decided — this

is an emergency bill to take care of a dire need. We must get to it."

Senator Gardner: "At our hearing, it was brought out that unless we have this personnel in full force, we will lose our accredited standing at the State Hospital for 1965, so there is some emergency."

Question on motion of Senator Lamprey.

The Chair stated that a two-thirds vote would be required.

On this motion, Senator Martel demanded a Roll Call.

The following named Senators voted in the affirmative: Lamontagne, Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Saggiotes, Gove, Buchanan, Rinden, Green, Provost, Waterhouse, Bergeron, Tufts and Hunter.

The following named Senators voted in the negative: Blaisdell, Paquette, Riley, Martel and Foley.

Seventeen Senators having voted in the affirmative and five Senators having voted in the negative, the affirmative prevailed, and the motion carried.

Senator Martel: "I protest this action being taken at the present time."

House Message

The House of Representatives has passed the following Joint Resolution, in the passage of which it asks the concurrence of the Senate:

Messrs. Taft of Greenville, Craig of Manchester, Pickett of Keene and Spitzli of Walpole offered the following joint resolutions:

Whereas, We have learned with sorrow of the demise in England of one of the most distinguished statesman in the world, The Hon. Winston Churchill, and

Whereas, In recognition of Mr. Churchill's citizenship we feel that the United States has also lost a valued friend and advisor, therefore be it

Resolved, That we, the members of this 1965 House of Representatives in General Court convened, do hereby pay

tribute to the memory of a man who has proven to the world his love of country and humanity, and extend our heartfelt sympathy to his family and to the British Empire, and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk of the House to Lady Churchill.

The Chair announced that he would appoint Senator Tufts to get in touch with the House sponsors in an endeavor to harmonize the Joint Resolution passed in the Senate today on the same subject.

House Message

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill, sent down from the Senate:

SB 16, relative to compensation of assistant clerk of the Senate.

Resolution

On motion of Senators Johnson and Martel, the following Resolution was adopted:

Resolved, That the time for introduction of bills be extended for one week, to Thursday, January 28th. Requests for bills may be filed with the office of the Legislative Services prior to the above date. Such requests shall be made in the name of the sponsor of the bill and shall state the subject matter of the proposed bill.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

On motion of Senator Waterhouse, the Senate adjourned at 1:35 p.m.

WEDNESDAY, January 27, 1965

The Senate met according to adjournment.

The Chair declared a quorum was present.

Introduction of Guests

Senator Green introduced to the Senate, her daughter Hinda and friend Karin Handel.

Communication

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In case of No. 5329 *Brown v. Lamprey & a.* the court upon January 27, 1965, made the following order:

Bill dismissed.

Concord, January 27, 1965.

By order of the Court:

George O. Shovan,
Clerk.

Original,
No. 5329.

J. WILLCOX BROWN *v.* STEWART LAMPREY *& a.*

Argued January 18, 1965.

Decided January 27, 1965.

Bill in equity by a resident of Dunbarton, filed in this court on January 11, 1965, complaining of certain action taken by the New Hampshire Senate on January 6, 1965 with respect to the election to that body of Senators from districts 5, 8 and 23 (RSA 62:16, 19, 34 (supp)); and in particular of the action of the Senate in seating persons who received less than the largest number of votes in districts 8 and 23 in the 1964 election. The bill alleges that the candidate who appeared to be chosen Senator from district 5 (Art. 33, Pt. II, N. H. Const.) should be disqualified, and that special elections should be required in all three districts, in the event that the candidates

apparently elected from districts 8 and 23 were properly adjudged by the Senate to be disqualified. It seeks to enjoin the defendant Lamprey, as President of the Senate, from carrying on any business in the Senate pending determination of the legality of that body's actions on January 6, 1965. As filed, the bill also sought to enjoin the defendant Maynard, as Attorney General, from participating in these proceedings because of an opinion allegedly given by him to the "Republican majority in the State Senate."

By motion to amend, filed on January 13, 1965, the plaintiff questioned the right and authority of the three persons seated by the Senate to occupy the office of Senator, sought to have them made parties to these proceedings, and to amend the bill to allege that the action of the Senate on January 6, 1965 was an unconstitutional "abuse of power and a denial of due process of law."

The defendants Lamprey and Maynard thereafter filed answers and motions to dismiss, and permission was granted to amici curiae to appear in the proceedings.

Heading was had in this court on January 18, 1965, at which time the plaintiff filed a second motion to amend, seeking to require the defendant Maynard, as Attorney General, to initiate quo warranto proceedings with respect to the office of Senator for each of the three districts in question.

J. Willcox Brown, *pro se*, orally.

John C. Driscoll (by brief and orally), as amicus curiae, in support of the bill.

Wilfred L. Sanders, Jr. (by brief and orally), for Robert F. Preston, and as amicus curiae, in support of the bill.

Eugene C. Struckhoff (by brief and orally), as amicus curiae, in support of the bill.

Alfred Catalfo (by brief) as amicus curiae, in support of the bill.

Charles V. Spanos, as amicus curiae, in support of the bill, filed no brief.

Upton, Sanders & Upton (Mr. Richard F. Upton by brief and orally), for the defendant Lamprey and for James A. Sagiotes.

William Maynard, Attorney General, pro se, and *Peter W. Smith* (by brief).

William R. Johnson, pro se, filed no brief.

Arthur G. Marx, counsel for the Senate, filed no brief.

DUNCAN, J. The motions of the defendants Lamprey and Maynard that the action brought by the plaintiff Brown be dismissed upon the ground that this court is without jurisdiction to review the judgments of the Senate in determining the elections, returns, and qualifications of its members, present the fundamental issue in this case. Other grounds advanced for dismissal, some of which arise out of the assertion that this is in the nature of a proceeding to try title to office, suggest procedural defects (see *Stickney v. Salem*, 96 N. H. 500) which might be thought capable of correction should circumstances require. *O'Brien v. Fuller*, 93 N. H. 221. The overriding issue of jurisdiction invites first attention.

The qualifications of a State Senator are prescribed by Art. 29, Part II of the Constitution. The qualification at issue with respect to each of the candidates apparently elected from districts 5, 8 and 23 is the requirement that he shall "have been an inhabitant of this state for seven years immediately preceding his election, and at the time thereof he shall be an inhabitant of the district for which he shall be chosen." Art. 29, *supra*. A person not so qualified is not "capable of being elected a senator." *Id.* Under Art. 30, Pt. II, a person is to be considered an "inhabitant" in the town "where he dwelleth and hath his home."

On January 6, 1965 the newly elected Senate assembled and organized, and thereafter undertook to determine whether Senators had been elected for districts 5, 8 and 23 who met the constitutional requirements quoted above. William R. Johnson of Hanover, nominee of both the Republican and Democratic parties and the only candidate for whom votes were cast in district 5, was found by the Senate to be qualified. James M. Lewis, a Democrat, of Newport, who received the largest number of votes at the election in district 8, admittedly was not qualified because not an inhabitant of district 8 for the requisite period. He was found by the Senate not to be eligible and James A. Saggiotes, a Republican, of Newport, the candidate having the next highest number of votes was found to be the "only quali-

fied candidate with a plurality of the votes." The Senate adjudged that Saggoites was "entitled to represent District No. 8 in the Senate and that he be seated as such Senator." S. J. for Jan. 6, 1965, *pp.* 35, 36.

Similarly, Robert F. Preston, a Democrat, of Hampton was found not to be qualified, and Douglass E. Hunter, Sr., a Republican, also of Hampton was found to be "the only qualified candidate with a plurality of the votes" and was "adjudged entitled to represent District No. 23 in the Senate" and "seated as such senator." S. J. Jan. 6, 1965, *pp.* 37-40.

In support of their motion to dismiss, the defendants rely upon Art. 35, Pt. II of the Constitution as follows: "The Senate shall be final judges of the elections, returns, and qualifications, of their own members, as pointed out in this constitution."

In *Petition of Dondero*, 94 N. H. 236, 238, it was held that any review by the court of findings and rulings of the ballot law commission regarding senatorial returns would be "of doubtful service to the parties and advisory only to the Senate . . . because our constitution makes the Senate a judicial body for the determination of the election of its members and, at least in the absence of a denial of due process of law, the decision is 'final.'"

It has been the established law in this state from the beginning that it is not the function of the judicial branch of the government to pass upon the wisdom, desirability and expediency of statutes enacted by the Legislature. *Chronicle &c. Pub. Co. v. Attorney-General*, 94 N. H. 148, 151. So too, this court has not been invested with the power to pass upon the wisdom of the legislative branch of the government in determining the qualifications of its members. Hence we have no authority to approve or disapprove the action thus taken by the Senate. For this court to interfere would be a usurpation of the authority of the Senate granted to it by the Constitution. Art. 35, *supra*. In the light of the precedents, we think it plain that this court is without authority to interfere with the Senate's determination that the candidate Johnson was qualified, and that the candidates Lewis and Preston were not. See *McGee v. Bragg*, 94 N. H. 349.

The decision of the Senate to seat candidates in the 8th and 23rd districts who received fewer votes than the persons

apparently elected but found ineligible is strenuously attacked by the plaintiff and supporters of his bill. In urging that special elections should be ordered in these districts, counsel have argued that they are required by Art. 34, Pt. II of the Constitution, which provides in substance that "vacancies in the senate arising . . . except from failure to elect, shall be filled by a new election by the people of the district," and in case of failure to elect shall be filled by election by the two houses of the Legislature "out of" the two persons having the highest number of votes in the district.

The defendants contend that Art. 34 cannot apply because no vacancies in the office of senator existed, the Senate having properly determined, as final judge of the elections and returns of their own members under Art. 35 that Saggiotes and Hunter were elected, "being the only qualified candidate[s] with a plurality of votes." See *Covington v. Buffett*, 90 Md. 569; *State ex rel Biggs v. Corley*, 36 Del. 135, 153.

In reaching this conclusion the Senate followed not only precedents which that body itself established in 1915 and 1941 (see S. J. (1915 Session) *p.* 18; S. J. (1941 Session) *pp.* 23-27), but also the precedent previously adopted by it in 1875 by which votes for disqualified candidates were rejected as not legally cast, for purposes of determining that other candidates had been elected by a "majority" of votes "legally" cast as then required by the article which in amended form is now Article 34.

Noting that the Senate had adjudged that Senators who received a majority "of all the votes legally cast" had been elected, the Court declined to question this conclusion stating: "We are of opinion that from the action of the senate in this respect there can be no appeal. By the express terms of the constitution the action of the senate is made *final*. If the framers of our organic law had intended that some court or other tribunal should have the power, by writ of *quo warranto*, or *mandamus*, or other process, to reverse the action of the senate, they would have so expressed themselves, in language which could not be misunderstood." *Opinion of the Justices*, 56 N. H. 570, 573. To the same effect, see *Bingham v. Jewett*, 66 N. H. 382; *Eastman v. Jewett*, 66 N. H. 624. See also, *Opinion of the Justices*, 152 Me. 212; *Greenwood v. Registrars*, 282 Mass. 74; *Lessard v. Snell*, 115 Ore. 293.

For like reasons we are of the opinion that the occasion presented by the case before us is not one in which the court has authority to interfere. It may well be, as counsel have argued, that the practice of rejecting votes for disqualified candidates so as to effect the election of candidates having the second highest number of votes represents a minority view among court decisions elsewhere relating to elections not affected by constitutional provisions like those of Article 35. Under Article 35 however, the Senate acted in a judicial capacity as "final judges" of the elections. In so doing it did not exceed its authority by determining the applicable law as well as finding the controlling facts. *Greenwood v. Registers, supra*.

In disposing of the pending bill we are restricted to the record of the proceedings in the Senate as reported by its journal. *Opinion of the Justices*, 103 N. H. 402, 411. The record discloses no such arbitrary and improvident use of its powers by the Senate as will constitute the denial of due process of law calling for our intervention. In the circumstances we conclude that under Article 35, Part II, of the Constitution, the action taken by the Senate on January 6, 1965 is final and beyond the power of this court to approve or disapprove.

Bill dismissed.

All concurred.

The Chair announced that without objection, the communication would be printed in the Journal.

The Chair recognized Senator Martel: "I would like to have my following remarks recorded in the Journal about this communication. Under personal privilege, this morning, when I picked up the Concord Monitor I had occasion to read the editorial page and I noted that there was a reprint of an editorial article appearing in the Claremont Eagle. I would very much like to read this as a part of my feeling on the matter for the record, to be inserted in the Journal. I believe that the remarks expressed in this article express very well my opinion and I believe that of other Senators in this Chamber; I well remember making some statements on that particular day:

God Forbid, if True!

Under the judiciary powers of the New Hampshire State Constitution Article 74 states:

“Each branch of the legislature as well as the governor and council shall have authority to require the opinions of the justices of the Supreme Court upon important questions of law and upon solemn occasions.”

This article in the state’s organic law — its most important law — means exactly what it states in plain language.

It means, that had the State Senate sought Supreme Court opinions on legality of both the unseating and seating of disputed senators, the court would have been required by the Constitution to answer the questions propounded, in an advisory opinion.

To suggest, as has been by attorneys defending the Senate before the Supreme Court, that the court has no constitutional jurisdiction in such matters seems devoid of both fact and reason.

As cited above, the constitution already requires the court, when asked, to render opinions to the legislative and executive branches.

Had the Senate shown more concern for prudence and fair play the matter would have been remanded to the Supreme Court two weeks ago.

Now, a citizen asks some of the questions the Senate might have asked, and which the justices would have been required to answer.

It is difficult to imagine under these and the many other circumstances attending this unfortunate situation how the court can dismiss the petition as being unconstitutional itself, as is argued by the defense counsel for the seated senators.

Traditionally the three branches of democratic government — the judiciary, legislative and executive — operate practically and constitutionally within separate spheres of influence, and properly so.

But both in the constitution itself and through law-made decisions, over-lapping of authority and jurisdiction occurs to preserve the balance of government and to protect the rights of the citizenry from the capriciousness of either branch in its interpretation of its own constitutional rights.

Just five years ago, the Supreme Court, upon petition, declared null and void all actions of the State Senate when a constitutional quorum was not present.

The Senate said the quorum was present, or deliberated improperly and unconstitutionally with full knowledge one was not present. And so it was to the Supreme Court, for justice, that people turned.

The weakness of the defense argument may be further dramatized by the proper and constitutional interference by the United States Supreme Court in state legislative apportionment to give people the inalienable constitutional right to fair apportionment, a right hitherto ignored or abrogated by the various legislative branches.

Both the statutes and the constitution in New Hampshire are sprinkled with instances where overlapping of traditional jurisdiction of the three branches is sanctioned and indeed fully accepted and encouraged in the interests of good government and justice.

To suggest that no court of law can hear and rectify cases involving alleged injustices in the election and seating of legislators would, if carried to the fullest degree, establish a legislative anarchy with any majority interpreting and possibly abusing its own constitutional grants of authority with complete impunity, save revolution itself.

Were the court to say, as is asked by the defense, that what the Senate does in respect to the election of, and seating of, its members is none of anyone's business but the Senate's, then what, at least in theory, would prevent the unseating of all members of the minority party for sufficient or insufficient cause?

Two senators and perhaps three, are now seated in the upper branch of the General Court contrary to what we believe the constitution of New Hampshire intended. A fourth senator may have been deprived of his seat unconstitutionally.

While the Senate may constitutionally bar seats to members-elect who are constitutionally not qualified, where in the constitution is the provision, implied or otherwise, granting to the Senate the privilege of electing fellow members contrary to the majority votes cast by the electorate?

If this were not bad enough, now comes the defense for this action asking the Supreme Court of the State to sanctify the deed by, in effect, denying anyone's right to review and adjudicate what may be a great wrong.

Even a man at the gallows in this great country has his day in court; his many opportunities for judicial review and appeal.

Are we to believe that any legislative body may have the right alone to interpret and possibly abuse, without recourse, the privileges solemnly deeded to it by the Founding Fathers?

God forbid, if true! — CLAREMONT EAGLE.

Senator English presiding.

Senator Lamprey inquired of Senator Martel: "Is this an attack upon the supreme court?"

Sentor Martel: "This is merely an interpretation of those Senators within this body who have expressed similar opinion on the proceedings of January 6th. If you wish to have it implied, that is your business."

Senator Lamprey: "I question first the wisdom of having an editorial placed in the Journal. However, I would not want to see the clippings that were written by someone else and stated on the floor of the Senate by the minority leader printed in our Journal. However, in order to conform with good parliamentary practice and precedence in the past, I think a motion should be made to suspend the rules to include this editorial if it is the desire of the Senate, and having made a speech about it, I should not make the motion, but I would support it."

Senator Martel: "Would anyone deny me the right, as a member of this body, my own personal opinions or those of others. As a matter of personal privilege, would any of you look me straight in the face and deny me the right. If I had memorized this by heart, would you have taken this view. I would never deny anyone. We are all entitled to share our views. They do that in the Congress of the United States in Washington. I hope that we have not come to this stage in the game when I or any other member of this august body wish to have any remarks put in the Journal under personal privilege. If we have to submit to this, we are going very low in legislative procedure."

Senator Johnson: "It seems that the Senator from the 17th District is becoming somewhat defensive. As I understood things, Senator Lamprey was happy to have this printed in the Journal. I would, too. I understood that Senator Lamprey would like to have this done in parliamentary fashion in order that our Journal may not be jammed up with a lot of editorials for the next few weeks. We would be setting a precedent here. We are not trying to shut off debate. I think you are being very defensive in the whole thing."

Senator Foley: "I would like to say that tomorrow or this afternoon, I am going to present legislation which I hope, when this comes up again, there will be some rule to take care of situations like this."

Senator Howard: "I would quote from Article 11 of the Senate rules: When the reading of a newspaper is called and the same is objected to, the matter shall be decided by vote of the Senate and without debate. I think Senator Lamprey was agreeable in having Senator Martel read it, but without debate."

On motion of Senator Martel, the Chair declared a 5 minute Recess.

(Recess)

The Senate re-assembled.

Senator Martel moved: "That the remarks that I have made relative to the Senate situation be printed in the Journal."

Seconded by Senator Blaisdell, and unanimously carried.

Introduction of Guest

Senator Blaisdell introduced as his guest, former Senator from the 10th District, A. Harold Kendall.

Senator Johnson: "Under personal privilege, I would like to make a few remarks in answer to Senator Martel. The article which he has read, in essence, says that arguments of the counsel for the defendants in the recent case before our supreme court were capricious and lacked reason. This statement being made after our court's unanimous decision is somewhat strange. If the Senator from the 17th District would read carefully, he would see that the last paragraph of the supreme court's decision

goes to this very point. It says that there has been no arbitrary action. If there is arbitrary action, you may be sure the supreme court will speak. This has been a very interesting two days. First, the Senator from the 17th District wishes to put off the state employees pay raise for 2 months, and then our consideration of our state hospital problem, to be put off to the future. Yes, this has been a very remarkable two days."

Senator Martel: "Under personal privilege. As far as the remarks of the Senator from the 5th District are concerned, relative to the pay raise being put off for a month, it is good fiscal responsibility for any man to take to wait for the Governor to submit his budget message. I well remember in years past, about 20 years ago in fact, when I first came to the general court, it was customary, in deference to the state executive of this State in order to determine how we should act in good conscience. I do not think that was an unreasonable position for me to take yesterday. As far as the Laconia State School is concerned, in due time, I shall have the proper remarks. I do not have the opportunity that Senator Lamprey has — to have all these facts in his hands at the time he wants them. He had time to prepare a comment on that — I have not had that opportunity. He was kind enough to call me in his office and show me what he had prepared for the press. In due time, I shall make comment."

Senate Resolution

Senator Green offered the following Senate Resolution:

Whereas, The Veterans Administration has ordered and proposed in the near future to centralize veterans' services in Boston and for the purposes thereof plans to cut back such services at Manchester, New Hampshire and White River Junction, Vermont, and

Whereas, Such two places have been the only offices within our area where the veterans in the state of New Hampshire have received such services, and

Whereas, It has been the inevitable result of such a cut back and centralization that subsequently the area offices are phased out completely, and

Whereas, If veterans in the state of New Hampshire are required to communicate or travel only to Boston to receive

services, it would create a material hardship on them, now therefore, be it

Resolved, That the Senate of the General Court of New Hampshire strongly protest and deplore this proposed action by the Veterans Administration which can only result in poorer service and greater inconvenience to the veterans of this state, and be it

Further Resolved, That copies of these resolutions be transmitted to the Veterans Administration and to all of New Hampshire's Senators and Representatives in Congress.

Senator Green spoke in support:

"I am offering this resolution not only as chairman of the Committee on Military and Veterans Affairs, but also because of my personal concern for the veterans of our state. For many years as you are all aware, my husband was very much involved with the veterans and naturally I, therefore, became aware of their problems and feel a great concern to protect their rights. That any action such as this should be taken it would very probably eventually result in our veterans having no place in the state to receive services seems to me completely uncalled for and deplorable when you consider the services which they have rendered to their country and state."

The above Senate Resolution was unanimously adopted.

Resolution

Senator Rinden offered the following Resolution which was unanimously adopted:

Whereas, Raymond K. Perkins, former President of the Senate, from Concord is ill in the hospital therefore be it

Resolved, that we, the members of the Senate of 1965, extend our sympathy in his illness to our former fellow member and our best wishes for a speedy recovery, and be it further

Resolved, that the Clerk of the Senate be instructed to transmit a copy of these resolutions to Mr. Perkins.

Senator Foley inquired as to why the remarks of some Senators were included in the Journal while the remarks of other Senators were not recorded.

Senator Lamprey: "I think it might be well for the Rules Committee to get together and come up with some satisfactory arrangement as to the Journal."

Senator Foley: "I thought we were going to have the Journal printed for economy. The words I say here are just as important as fiber glass drapes and wall-to-wall carpeting."

Senator Lamprey: "I have never signed a manifest for any drapes or any carpeting, nor do I intend to. So let me put that to rest right now. I understand that it came out of the legislative budget, but I did not sign the manifest. I could care less about fiber glass drapes and carpets. But I am to see that the help in the Senate does get the best tools possible with which to work."

Senator Lamprey: "With reference to an article in the paper — it is a fact that I did not make any comment relative to cleanliness at the Laconia State School — that the conditions were poor or bad. I never made reference to the conditions at the Laconia State School. The only two things in connection with the Laconia State School were 1, the food budget, and 2, an additional appropriation for medical supplies. Another thing, relative to lack of medicines at the State Hospital — I want it clearly understood that I made no such statement."

Senator Martel inquired: "Personal privilege — I thought you mentioned lack of linen?"

Senator Lamprey: "There will be a public hearing tomorrow and we will take this matter up then and I shall be delighted to participate."

Senator Martel: "Along with the remarks of Senators Lamprey and Foley, I would always like to have my remarks included in the Journal. I sympathize that the Senate Recorder has a very difficult job to perform. I would think that perhaps a tape recorder might be helpful. When remarks are being printed up for today, I hope that I will be given an opportunity to review them before they appear in the Journal, rather than make corrections after the Journal lands on our desks."

Senator Lamprey presiding.

Senator English offered the following comment:

Mr. President and members of the Senate: I have seen the picture which appeared in the Manchester Union of January

26 showing the Hinsdale High School band. The Hinsdale band had a prominent place in the Inaugural parade and reflected distinction and credit on the State of New Hampshire. I would like to have this opportunity to pay my tribute to this fine organization and its leader, Joseph Norton, and I know that the other members of the Senate would like to associate themselves in praising the Hinsdale High School band.

Senator English offered the following comment:

Mr. President: It is my impression that the extra fee received by the state for initial license plates for automobiles is allocated to promoting highway safety.

I have an idea on this subject which I feel should be explored.

Driving on New Hampshire highways during nearly six months of the year potentially involves driving on ice, slush, or slippery snow.

I have talked with at least one member of the group who race automobiles on ice on Lake Contoocook in Jaffrey. He said he thought his group would be willing to help train high school children in handling a car on ice. I can think of various ramifications in connection with this type of training which might indeed lead to improved safety on our highways.

Senator Martin offered further comment relative to the above: "I think that it would be well to also include in what Senator English has said — if in some manner some sort of a shield might be put up before our eyes. A bus went by me and for a few minutes I could not even see — because of the slush being splashed on my windshield. It does take a few minutes to have the wiper clear the windshield."

Resolution

On motion of Senator Buchanan, the following Resolution was unanimously adopted:

Whereas, today, January 27, is the 83rd birthday of our good friend and former Sergeant-at-Arms, Nathan A. Tirrell, Assistant to the President of the Senate, therefore be it

Resolved, That we the members of the honorable Senate hereby extend to Mr. Tirrell our heartiest congratulations on

his birthday and our best wishes for a happy birthday today and for many years to come, and be it further

Resolved, That the Clerk transmit to Mr. Tirrell a copy of these resolutions.

House Message

The House has passed the following entitled bill:

HB 54, to remove the limitation on assets of the *New Hampshire Humane Society*. Referred to Committee on Executive Departments, Municipal & County Governments.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

On motion of Senator Green, the Senate adjourned at 12:12 o'clock.

THURSDAY, January 28, 1965

The Senate met according to adjournment.

Senator English, District No. 11, presiding.

The Chair announced that a quorum was present.

Introduction of Guest

Senator Buchanan introduced to the members of the Senate, his daughter, Blair, a student at Fryeburg Academy, home on vacation.

Introduction, First & Second Reading of Senate Bills

SB 25, providing for hiring one *deputy city clerk* for the city of *Manchester*. (Martel). Referred to Special Committee, consisting of Senators Green, Martel and Provost.

SB 26, changing the date of *primary elections* in the city of *Manchester*. (Martel). Referred to Special Committee, consisting of Senators Green, Martel and Provost.

SB 27, relating to *adjustments* in the *apportionment* in *public taxes*. (Waterhouse). Referred to Executive Departments, Municipal & County Governments.

Committee Reports

Senator Provost, for the Committee on Engrossed Bills, has examined and found correctly engrossed, the following entitled Senate Bill:

SB 16, relative to compensation of *assistant Clerk of the Senate*.

Announcements

Senator Gardner announced that there would be a hearing on SB 22, to authorize the practice of mechanical *dentistry*, on February 10 (Wednesday) at 1 p.m. and requested all members of the Committee to form their plans around that time as she desired a full attendance.

Senator Buchanan announced that there would be a hearing next Wednesday, February 10, at 10 a.m. in Room 5, with Joint Committees of Senate and House, Banks, Insurance and Claims on:

SJR 4, to reimburse the town of Hancock for an overpayment of county taxes.

The Chair recognized Senator Lamontagne, under personal privilege:

"Mr. President and Members of the Senate: I have a problem I would like to place before the Senate because it involves New Hampshire people. I would like to have it understood that I am not criticizing any political party, because this is a time when both parties should be working together.

"A few weeks ago, Congressman Cleveland mentioned the closing of the Veterans Administration Hospital in Manchester. Last Sunday, U. S. Senator Cotton, in the *Sunday News* mentioned the Veterans Hospital.

"If the Senatorial and Congressional delegations in Washington have any information about the closing of the Veterans Administration Hospital in Manchester or White River Junction as being included with the closing of 11 other hospitals in the United States, the veterans of this state, as well as the members of the General Court, should know about these facts because this is certainly going to affect the welfare of the veterans, widows, children of veterans and their families. There is another matter, I have been told by veterans, that in last week's *Manchester Union*, Congressman Cleveland, in a statement, said there was going to be expansion in the Veterans Administration Hospital in White River Junction. I just can't seem to understand the statement made by Congressman Cleveland as I know of no hospital in either New Hampshire or Vermont closing or expanding.

"The situation, right now, in both New Hampshire and Vermont is that the Veterans Administration offices are being cut to a skeleton crew. If the Manchester office is to be discontinued, as planned, there will be only one regional division field examiner, one contact representative, one consulting psychologist, now on the Boston payroll, and one secretary.

"At the present time, we have 133 veterans at the Manchester Veterans Hospital and 200 veterans at the New Hampshire Hospital. In New Hampshire we have 87,000 veterans.

"In Vermont in the Veterans Administration office these changes are being proposed. There are now four employees in the Manager's Office — a Director, Assistant Director and two secretaries. All four of these employees will stay at White River Junction. In the Section of Compensation and Pensions, there are ten persons — all ten will leave. In the Lien Guarantee Section, there are six employees — possibly one will stay in White River. In the Legal Section, there are four employees — possibly one will remain. In the Contact Section, there are three employees — the Chief, Contact Officer and secretary — one of these three will remain. In the Administration Officer Service Section and the Administration and Finance, there are possibly 25 employees. It has been said that 50% to 75% of these would be needed by the hospital and would remain at White River Junction. All this information was given to the Vermont Congressional delegation.

"Now this is a big problem because I am sure many people just don't stop to realize that in making these changes, with New Hampshire as an example, all the service records would be sent to Boston instead of being in this state in the office of the Veterans Administration in Manchester. In six New England states, why say New Hampshire and Vermont veterans do not need a regional office and they can write to Boston. If such is the case, then why doesn't Maine, Rhode Island and Connecticut also write to Boston?

"Now, Mr. President and members of the Senate, I planned to introduce a resolution this morning but I don't feel it is necessary. Therefore, I am only going to ask the President of the Senate to contact U. S. Senator Norris Cotton and at the same time Congressman Cleveland and find out whether or not the information submitted on the Veterans Administration hospitals which has been mentioned in the newspapers is correct and then give us the members of the Senate, through you, Mr. President, the necessary information so we can advise our veterans.

"At this time, I would like to say that of course, we shall be very tactful because I know Senator Cotton, Senator McIntyre, Congressman Cleveland and Congressman Huot are doing everything they can about the Veterans Administration. I am sure the veterans of this State appreciate it. I also appreciate it. But these are some of the questions being asked by veterans in the State of New Hampshire and that is the reason for my request."

Le Président suppléant reconnaît le Sénateur distingué du Manchester pour soumettre la proposition usuelle à ce moment.

Senator Martel: "Monsieur le Président, je propose que le règlement intérieur du Sénat soit suspendu afin de reconnaître en ce moment l'ordre du jour de l'après-midi."

Afternoon Session

On motion of Senator Martin, the Senate adjourned at 12:45 p.m. to meet next Tuesday morning at 11 o'clock.

TUESDAY, February 2, 1965

The Senate met according to adjournment.

Leave of Absence

Senator Blaisdell's request for leave of absence was granted by the Chair.

The Chair declared a quorum was present.

Introduction of Guests

As the guests of Senator Gove, his wife Anne and daughter Margaret Anne.

As the guest of Senator Riley, his wife Dorothy.

As the guest of the Senate, former Senator from the 8th District, Marion Phillips of Claremont.

House Message

The House of Representatives has passed the following entitled bill:

HB 74, to increase the salaries of Aldermen of the City of Nashua.

First & Second Reading of House Bill

HB 74, to increase the salaries of Aldermen of the City of Nashua. Referred to Nashua Delegation — Senator Paquette.

Introduction, First & Second Reading of Senate Bills and Senate Joint Resolution

SB 18, enlarging the advisory commission on health and welfare. (Gardner) Referred to Committee on Public Health, Welfare & State Institutions.

SB 23, repealing the penalty imposed upon atheists and blasphemers. (Johnson) Referred to Judiciary.

SB 28, relative to the Union School District in the town of Littleton. (Martin) Referred to Committee on Education.

SB 29, to redistrict the State into Senatorial Districts. (Howard) Referred to Apportionment Committee.

SJR 5, to reimburse legislators for attendance at National Legislative Leaders Conference. (Buchanan) Referred to Committee on Finance.

Committee Report

Senator Martin, for the Joint Committee on Finance and Public Health:

SB 24, to provide personnel and funds for the department of health and welfare. Ought to pass.

The report was accepted. Question being on recommendation of the Joint Committee.

Senator Johnson offered the following amendment:

Amend section three of the bill by striking out the same and inserting in place thereof the following: 3 Authority to Employ. Notwithstanding any of the provisions of RSA chapters 94, 98, and 99, all as amended, the commissioner of health and welfare with the approval of the advisory commission shall nominate for appointment by the governor and council a commissioner of health and welfare who shall be paid a yearly salary of \$18,875 (Minimum) to \$21,875 (Maximum) a superintendent of the New Hampshire Hospital who shall be paid a yearly salary of \$17,896 (Minimum) to \$20,896 (Maximum) an assistant superintendent of the New Hampshire Hospital who shall be paid a yearly salary of 16,220 (Minimum) to \$19,220 (Maximum), and maintenance for all three of these positions, and for the classified position of resident physician at Laconia State School a board certified pediatrician (clinician) at a salary range of fifteen thousand dollars (Minimum) to eighteen thousand dollars (Maximum) plus partial maintenance. Any amount paid to any of the persons employed for any of the above four positions, under the authority of this act, above the amount provided for such position by the provisions of RSA 94 or 99, as amended, shall be a charge against the salary adjustment fund.

Amend section 7 of the bill by striking out the same and inserting in place thereof the following: 7 Takes Effect. This act shall take effect upon its passage and any of the provisions of sections 1 and 3 of this act inconsistent with RSA 126-A, as amended, shall be effective only to July 1, 1965.

Senator Johnson spoke in explanation: "The purpose of this amendment is very simple. There are two changes in the bill as you have it before you. First change is simply to make it absolutely clear that the Commissioner of Health & Welfare with the approval of the Advisory Commission and that these persons who are to be hired will be hired with the approval of the Governor and Council. What we have done here is to make it absolutely clear that the position of Director of Mental Health and Assistant Superintendent shall be appointed by the Governor and Council in the final statement, as the final thing. The Senate Counsel felt that the old bill did this, but to make it clear, as there was some confusion in some people's minds, this should be done. Second change which we have made is to simply say in the last clause—takes effect—that this bill takes effect only until July 1, 1965. In order to make it very clear that this bill is designed to solve a problem today that exists, but on July 1, 1965, it will be taken care of under the regular budget."

Senator English inquired: "If this is approved, would this mean that a person hired under this provision would have uncertainty as to what might happen after July 1st? Would this permit them to go ahead and hire with some assurance that they will stay on?"

Senator Johnson replied: "Yes. The final authority is under the Governor and Council. It is merely that the appropriation only goes from now to July 1st."

On a *viva voce* vote, the amendment was adopted.

Question now being on the adoption of the Committee Report as amended.

Senator English presiding.

Senator Martel: "In order to preface my remarks, I wonder if it would be possible for the leadership to advise us in advance of any changes they intend to make to committee reports, prior to coming to the session. Last session, I remember the Majority Leader, Senator Monahan, seldom did we come to the session without knowing of any changes in Committee reports that might be contemplated. That is cooperation and I would appreciate it very much if this could be done this session. I will also say that the Minority will bring it to the atten-

tion of the members prior to opening of the session if the same occasion arises. I think if we do that too—this is right.”

Senator Martel speaking on SB 24:

Mr. President:—

I would like to address myself to Senate Bill 24. It is my contention that the so-called emergency with which this bill deals is largely exaggerated. I am not saying that deficiencies do not exist but it is my contention that there is provision for taking care of these deficiencies by an orderly legislative process. And it is my contention that this bill treats only the symptoms of the serious disease that afflicts our mental health program when we should be spending our time on the disease itself.

Let us examine this bill, item by item.

ITEM No. 1—EIGHT NEW POSITIONS OF SENIOR PSYCHIATRISTS ARE HEREBY AUTHORIZED FOR THE NEW HAMPSHIRE HOSPITAL.

I would point out to you that the 1963 Legislature approved these positions dependent upon the institution finding the monies within their appropriations. Governor King, in his present budget recommends that these eight positions become permanent jobs with adequate appropriated funds at a salary level very close to the recommendations of this bill. So this item will be taken care of in the orderly legislative process.

ITEM No. 2 IS PART OF ITEM No. 1.

Item No. 3 calls for substantial increases for the positions of Director of Mental Health, Superintendent of the New Hampshire Hospital and Assistant Superintendent of the New Hampshire Hospital in amounts of approximately \$3,000.00 per year more than ever requested of Governor and Council by either Commissioner Barry or the Advisory Commission of Health and Welfare.

On September 21, 1964, Governor and Council authorized substantial salary increases to the positions, as well as for five unclassified psychiatric positions at the hospital, in the amounts then recommended by Commissioner Barry and the Advisory Commission in order to employ board certified psychiatrists.

Since that date Governor and Council HAVE NOT been requested to authorize further increases. They have statutory authority to so act as provided by Chapter 251, Laws of 1963. Why have not orderly steps been taken to remedy the situation if it needs remedying and has the need for another \$3,000.00 increase just developed over the past four months?

Obviously the motivation here is that if you raise these salaries \$3,000.00 more than what the Advisory Commission thought was enough in September then you can recruit men to fill these positions faster.

Let me urge my colleagues to read the McLane Report and you will discover that money is not our only problem in recruitment for our mental health department. The problem goes far deeper than money. Qualified psychiatric personnel are reluctant to come to New Hampshire because of the reputation of the Department of Health and Welfare. They are reluctant to come here because of the organizational set up for this department. This is the fundamental cause of our troubles in mental health and until we attack that fundamental cause we will have trouble recruiting the people we want even if we offer \$75,000.00 a year. Let me quote to you from an editorial in the Concord Monitor of January 27, "Until the issue of organization is met and settled, no self-respecting administrator or doctor will accept employment at the State Hospital at any price".

Members of the psychiatric profession are not interested merely in money. They want to work in a state where a progressive program offers a challenge. They want to work where they can have some assurance that their work will not be hampered by political maneuvering. This item attacks the surface of the problem. We need to attack the foundation.

Item No. 3 also calls for the establishment of the classified position of resident physician at the Laconia State School to be a certified pediatrician at a salary range of \$15,000 to \$18,000. I would point out to you that the present medical staff at the Laconia State School includes the Deputy Superintendent who is medical director and psychiatrist and two permanent physician positions, both of which are filled. A general practitioner fills one of the permanent physician positions, the other position has long been satisfactorily filled by Dr. Morris, a reputable Laconia physician.

Now, when the budget requests of the Laconia State School were submitted to the Governor's budget committee on November 18, no request for this additional position was made by Superintendent Toll. And I would point out that his budget request had the approval of Commissioner Barry and the Advisory Commission. So why then the sudden need for a new pediatrician?

Under the present law two permanent physician positions are authorized. One is filled on a temporary basis by Dr. Morris. If the school chose, the temporary position could be filled by a permanent position of pediatrician—apparently the school does not choose to do so, so this item is unnecessary.

ITEM No. 4—Appropriation for supplies for Laconia State School for medical care, \$3,000.00 and for special foods for residents on special diets, \$3,000.00.

I would point out that special diets are being adequately provided for at the school. Puree baby food is now prepared by the school in its own kitchen using brand new equipment purchased recently when the kitchen was modernized. The school also purchases about 400 cases of prepared baby food for infants in the Murphy Infirmary. This preparation of baby food with the new equipment was observed personally by the Senator from the 4th district on Saturday, January 23rd, and he indicated his satisfaction with it. So why this legislation?

We have, under this same item, a request that we approve \$10,000.00 for the purchase of linens at the New Hampshire Hospital. The basis of this request was a visit paid to the Dolloff Building on Saturday, January 23rd, by Commissioner Barry and the Senator from the 4th district.

I have a copy of a letter from the Hospital Business Administrator, Mr. Leo Heath, to Acting Superintendent Dr. Donald Niswander, stating that no such shortage exists.

STATE OF NEW HAMPSHIRE

INTER-DEPARTMENT COMMUNICATION

From: Leo A. Heath

January 25, 1965

Business Administrator

N. H. Hospital

Subject: Linen Shortage

To: G. Donald Niswander, M.D., Acting Superintendent

At about 7 o'clock last night, January 24, I received a call from Miss Breene stating that one of her supervisors had re-

ported to her a shortage of linen in the Dolloff Building, namely, 100 johnnies, 25 shorts, 100 hand towels, 24 laundry bags, dish towels and pads. I contacted Mr. Bernard Cole, Laundry Manager, Mr. Kleinhans, Linen Control Supervisor, and Mr. Chamberlain, Mr. Kleinhans' assistant, who made an inventory at Dolloff Building at 9:20 p.m. and found the following linen on hand at that time:

DOLLOFF I: 56 Patients

- 260 sheets
- 80 pillow cases
- 15 bath blankets
- 40 bath towels
- 4 laundry bags

DOLLOFF II, 56 Patients

- 270 sheets
- 110 pillow cases
- 100 bath towels
- 34 bath blankets
- 10 laundry bags
- 20 dish towels

DOLLOFF III: 56 Patients

- 134 sheets
- 25 pillow cases
- 76 bath towels
- 30 johnnies
- 60 dish towels
- 9 laundry bags

DOLLOFF IV: 55 Patients

- 95 sheets
- 15 bath towels
- 32 hand towels
- 12 johnnies
- 3 dish towels
- 61 pillow cases
- 160 wash cloths
- 6 laundry bags

As you probably know, a delivery of linen will again be made to Dolloff January 25 at 9 o'clock.

This does not, to me, seem to indicate any type of a linen shortage. We have admitted that there is a scarcity of johnnies.

However, I understand in Dolloff they have been using a blue nightgown which we acquired from Surplus which has worked out very well in Dolloff. Again, I do not understand how this Supervisor could discover any shortages of linen on these wards, based on a physical inventory made by our Laundry people at 9:20. Incidentally, based on a request by Miss Breene we furnished them last night with the items they said were in question. However, we do not feel there was any need of this alleged complaint.

I assume you know that Commissioner Barry, Senator Lamprey and Rev. Roden made an inspection trip of various Hospital wards, one of these being Dolloff.

P.S. A check of our soiled linen coming back from Dolloff this morning showed 120 sheets still folded in the soiled linen.

LAH.b

cc. Mr. Cole

Miss Breene

Furthermore, adequate funds for linen are being provided for in the Governor's budget in the orderly legislative process.

Let me point out that in the 1961-62 biennium we spent slightly over \$15,000.00 for linen. During the present biennium we are spending almost \$21,000.00 for linen and Governor King is proposing that we increase this for the next biennium to \$37,000.00. So again, this item is being taken care of in the orderly legislative process.

Let us now turn to item No. 5 which calls for an emergency appropriation of \$38,700.00 for Community Mental Health Clinics. For the past three years, the Legislature has appropriated \$75,000.00 each year for grants to these community clinics. I would point out to you that in fiscal year 1963, distribution of these funds at the local level was so long delayed that almost \$44,000.00 of the \$75,000.00 lapsed.

In the present fiscal year we have at this moment \$35,000.00 in appropriations to these clinics plus available federal funds that are still undistributed, awaiting action by the Department of Health and Welfare despite urgent appeals by the Chairman of the Association of New Hampshire Community Clinics.

In short, my colleagues, the money is there for the Community Mental Health Clinics but Departmental bungling and delay keeps it here in Concord.

We do not need emergency legislative action here. We need re-organization that will eliminate such bureaucratic bungling.

Furthermore, Governor King has assured me that in his budget message, which will be delivered this Thursday, he will recommend a doubling of the present appropriation for Community Mental Health Clinics from the present \$75,000.00 a year, to \$150,000.00 per year. So again, provision is made for this item in the orderly legislative process.

In Item No. 6 you are requested to authorize for the New Hampshire Hospital two psychiatric social workers and seven clerk typists.

As for the psychiatric social workers, four of these were requested in the hospital budget for 1966-67. They have been approved by the Governor and will be recommended in his budget.

As for the seven clerk typists, four of these were requested by the hospital for the next biennium, approved by the Governor and will be recommended in his budget. Why in a matter of weeks after the hospital presented its budget are seven needed instead of four recommended by the department itself in November?

Item No. 6 also calls for the authorization of two clerk typists at the Laconia State School. The Superintendent of the school made no such request for the next biennium at the budget hearings. Why the sudden need?

My colleagues, I know that each of you share with me a deep compassion for the inmates of both the New Hampshire Hospital and the Laconia State School. I know that all of you share with me a sincere desire to improve their lot in every way possible. But I implore you to join with me in seeking a genuine and lasting solution to this problem with the due deliberation that is the tradition of the New Hampshire Senate. This piecemeal legislation in hysterical haste to cope with a manufactured emergency is not the answer.

The Honorable Senator from the 4th district may use the same power politics to ram this bill through the New Hampshire Senate as he utilized on the 6th of January. I do not challenge that power. He has it!

But I would point out to my Republican colleagues that you have a duty that takes precedence over serving the political ambitions of those who seek to use this chamber to advance those ambitions. You have prior duty to the people of New Hampshire who sent you to this chamber to represent them. You and I both have the duty of establishing the best mental health department for the State of New Hampshire that we can. This bill does not do that. This "Grandstand Play" fires a cap pistol where a cannon is needed. It is like treating cancer with an aspirin.

The Honorable Senator from the 4th district conducts a superficial one day investigation of the Mental Health Department, there are night time visits to the State Hospital to count bedsheets, a hasty examination of Laconia State School . . . a bill thrown together overnight and then the initial attempt to bull it through the Senate without reading it, without printing, without referral to committee, and without public hearings.

If this be leadership—then I do not understand the term. In my 20 years of experience in the Legislature I have always equated leadership with responsibility.

This is utter irresponsibility and I am confident this General Court will recognize it as such and refuse to endorse it.

Senator Lamprey: "Point of order. These remarks are degrading and insulting and should be stricken from the record."

Senator Martel: "I stand behind every word that I have read from my statement this morning and will have those employees to back them up. This is very unfair. In my twenty years here, I have never had anybody question."

Senator Lamprey: "I contend that the record of January 6th is a record by themselves and these remarks are derogatory against this Senate and should not be issued on this floor."

Senator Martel: "Doesn't the Senator from the 4th District know that I am referring to himself only and not to the other members of the Senate?"

The Chair reminded Senator Martel to confine himself to the bill.

Senator Martel: "I said the initial move was to bull it through the Senate, no printing and no public hearings, etc."

Senator Lamprey: "I have gone into considerable detail—are these from your personal investigations that you are bringing them out now?"

Senator Martel: "I wish to remind Senator Lamprey it is not from personal observation as much as information by certain department heads who furnished me with this information."

Senator Lamprey: "One thing more—did you write this report? I know that you are a God fearing man and will answer this question."

Senator Martel: "Some portions have been prepared for me and others have been written."

Senator Lamontagne: "I feel that the Senator from the 4th District is out of order. Senator Lamprey has asked and Senator Martel has yielded."

Senator Johnson: "It seems to me—it is hard for me to understand these pure statements at the beginning, all the speeches about the need for cooperation, which ends with these attacks upon individuals in the Senate. It would seem to me that we must have consistent statements. Speaking on the bill, I think we ought to begin with answering a question that has been raised both by the press and also by Senator Martel about the propriety of a bill of this nature being entered in the Senate. I speak to the question of the constitutional aspect where our Constitution says that money bills must originate in the House. Last Thursday, a newspaper published in this city raised the question, that there was a custom that no such bills be entered in the Senate—any bill which called for an appropriation of funds. If it was not a custom, it certainly was not courtesy. Then on Friday, Senator Martel was quoted as saying that it was 'the first time in his 20 years that a money bill had originated in the Senate and I challenge anyone who says otherwise.' I like challenges and let's do it. In 1963 session of the General Court, there were bills originating in the Senate totaling 3 million 851 thousand 5 hundred ninety-seven dollars

and 5 cents. I would be happy to show these bills to Senator Martel if he would like to see them. One provided for an industrial agent for the north country and it carried an appropriation."

Senator Lamontagne inquired: "Does this have any reference to the bill that we are now taking up?"

Senator Johnson: "I would like to counteract what has been said in the press. Senator Martel has said that anybody can challenge him to be in error. I thought I would try to do that."

Senator Lamontagne: "Does this have anything to do with the present bill?"

Senator Johnson: "Yes — this is a bill that is properly prepared — a bill which calls for the appropriation of money. Senator Martel has challenged and I intend to do so."

Senator Martel: "If Senator Johnson wishes to make any comments of that nature after we finish with SB 24, I have no objection."

Senator Johnson inquired of Senator Martel: "Would you state that perhaps in your 20 years of service in the Legislature that a bill calling for an appropriation has begun in the Senate?"

Senator Martel: "I do recall something about an instance — but as God is my witness, when I made that statement, I was in error. I believe people know of my veracity."

Senator Johnson: "There is no attempt to attack your veracity. I am just pointing out that this has been done."

Senator Lamontagne: "I feel that any previous legislation has nothing to do with the present bill as amended today. I do not think this discussion should go on."

Senator Johnson: "I believe the point has been made and I am happy to go along with Senator Lamontagne's request. The nature of the bill that we have before us—the sponsors of this bill were extremely interested in seeing to it that the provisions of this bill were what had been called for by responsible groups. In other words, it was our contention that we should not introduce elements into a bill which essentially had not been called for by other groups. This has not been done. I believe you are finding out certain things which has been called

for by the McLane report and also the report of the Legislative Council. The McLane report has been on the Governor's desk since August 27, 1964—a period of 5 months. . . . I find it hard to understand for a study report which calls for action, and there is no action, and the report is sitting on a desk for 5 months. The bill should have been drafted and before us on the first day of the session. I find it hard to understand. I would like to make some frank talk about this problem. I do not think that there is a Senator in this room but what would admit that there is a mess in this mental health program in New Hampshire. I think Senator Martel will agree. We all agree to it. There is a possibility that we have the wrong structure—that the structure of our organization is wrong. As I have said before, there will be a time to study the structure of this problem. I will be delighted to consider it. Perhaps the Governor will have a bill drafted sometime. There may be two causes of this mess—one is that we have the wrong personnel filling the positions in the Department of Health and Welfare. The structure is all right, but the people are wrong. One cause may be that the people in charge under the present structure are lacking the tools to do a job. You cannot ask anybody to run a department of Health and Welfare and not give them the tools to do the job. Now make no mistake, I am not saying anything about reorganization. This bill will come to us and when it does, we will discuss it and make a decision. My mind is open to reorganization. But the bill that we have today is another matter. This job has to be done. There are human beings at the State Hospital who are not receiving any care for their mental illness because there is a shocking lack of doctors. This bill tries to break the logjam to get the psychiatrists that are needed. This bill attempts to fill the very great need to have a Director of Mental Health, a Superintendent, and Assistant Superintendent. All of these things have been clearly called for by the McLane report. (reads from Page 26 of the McLane report) We are trying to do exactly what the report said—to give the present structure the tools with which to work. . . . One thing more, if we don't pass this bill now, when we finally get around in June—with the final debate on reorganization; we will have arguments of people off in three different directions. We are going to be off in all kinds of directions and will end up with nothing. We must do something about this problem. Today is the question of having the tools to get the jobs filled. When

we get to June and the matter of reorganization—if this bill is passed, we will have a lot more evidence through passage of this bill. I would urge you to take the action that we can take. I have learned that you do not solve all problems in one day—we solve them one by one.”

Senator Rinden inquired: “What do you estimate the maintenance of the top three jobs? Is that both for food and housing?”

Senator Johnson: “The McLane report encourages the Senate and House to do away with maintenance and cuts it to \$2500.”

Senator Lamprey inquired of Senator Martel: “I submit again to you that this is not your work. Will you tell me that it is? I challenge you that this is written by you and prepared by you.”

Senator Martel: “Whatever any Senator decides to prepare or have prepared — it is proper business. I would never challenge the Senator from the 4th District.”

Senator Lamprey: “It will be my own work that I will be talking about. I challenge that this is a direct preparation of propaganda to pass along. I will speak on the issue. The issue that has been raised in this department. First, let’s talk about the salary scale that has been referred to in number 1. 8 additional positions of senior psychiatrists, for the New Hampshire Hospital. I say to you that I have now come to the conclusion that there is a terrific attempt being made to destroy the department of Health and Welfare in the state of New Hampshire and that people are suffering as a result of it and it starts out at the top of this government. This is a further attempt at this destruction. Let’s get down to cases. What has happened within a week’s time relative to these positions (psychiatrists). There was a request made on January 27th from the department of personnel (reads from letter from Roy Lang of the personnel division).

What action did the Governor and Council see fit to take relative to this request? I have a copy of the Executive Council meeting on January 28, 1965 (reads from same). They approved the first 2 paragraphs from the director of personnel. The third paragraph of the letter was rejected. This was rejected with-

out consultation with personnel, but it was just decided. I want to say again, I now have come to the conclusion that there evidently is a deliberate attempt being made to destroy the department of Health and Welfare in the state of New Hampshire. Yes, it is true that you refer to the fact right here, to lead this department into political climate is not good in New Hampshire. Brother, you can say that again, because the political climate is not good because as far as my information can determine, just about every road block possible is being thrown in the path in determination to keep it from getting off the ground. It is being used as a vendetta — the reorganization which the Governor did not want in the first place. Make no mistake about it. Whatever has to be done — whatever people may say about me — in the press or otherwise — and I might add that I am delighted to see Leon Anderson here — he likes to write about me and matters in the Senate — I am going to do whatever is humanly possible to see that these unfortunate people are provided with some facilities to meet, at least the minimum requirements, of the mentally ill in New Hampshire. Let's make no mistake about it, as far as reorganization is concerned, I am going to listen and listen good. If it means that we must confront the vendetta of the Governor of New Hampshire, I will do everything possible as long as we get this program off the ground. I will maintain it today and I will maintain it tomorrow, unless they can prove to me that there has been any attempt to get this off the ground. I am aware of the fact that at the Laconia State School, under the law, there are to be 2 permanent doctors. One is filled on a temporary basis by Dr. Morris. I know about Dr. Morris. I live up in that area. He goes to the Laconia State School when it is necessary. Then, there is Dr. Shirlinger — I know him. He is a psychiatrist. That is his main chore. I know that these children are receiving the physical care that they should. Testimony of this was brought out at the hearing. This document which I hold was not prepared by the minority leader.”

Senator Martel: “I do not think the prepared report is relative to the bill. Will you please restrict to that.”

Senator Lamprey: “I will be glad to have that stricken from the record, but at the conclusion, I will make a statement.”

Senator Lamprey (reads from papers) “Still the matter of sheets. When I went to the Dolloff building on Sunday at ap-

proximately 6 o'clock in the evening, I can tell you from a personal observation that there was a shortage of sheets. And let's do something about the johnnies. Nothing was said about the johnnies. I would submit that I asked the legislative budget assistant to give me his opinion whether or not there was a shortage of sheets and I think he came back with this answer—why does the laundry have to be run on a 7 days a week basis. Is this the best therapy for the patients—has to be run on this basis because of the shortage of sheets. They deny to some patients the right to have his Sunday off. Senator Martel is a labor leader in this state—should he not give this some reflection? I received yesterday an unsolicited letter and I would like to read this letter to you.

(reads letter from Peter Barry, former manager of the laundry at the New Hampshire Hospital)

This is a fact—they operate 7 days a week because they do not have linens enough to last over Sunday. Let's give all facts in this department. It has been said this should be taken care of in an orderly legislative process. This is one of the most damning things to bring out."

Senator Lamontagne: "I said I would challenge anybody. Should not speak to any individual Senator, but to the body."

(Discussion ensued)

Senator Foley: "I wish to offer the following remarks which I wrote myself:

"Before I start analyzing this Senate Bill, I should like to say that I am reminded that the Senator from the 17th District read an editorial from a state newspaper last week. Following the readings of the article one of the other Senators rose and asked if this was an attack on him by the Supreme Court. We still have the right to expression and because I am opposed to THIS PARTICULAR SENATE BILL, I do not want anyone to have these Senate Chambers to say of me "She is against Mental Health."

"No matter which side of this bill you are on — one thing is certain—there is something definitely wrong with the Division of Mental Health . . . not enough room in the wards . . . too many patients per aide . . . different types of patients put in with other types not compatible . . . young thrust in

with the old . . . practices of perhaps 40 years building up . . . festering . . . and now finally coming to a head. . . .

“Governor King has recognized this problem and I quote from his inaugural address: ‘I am convinced that the Department of Health and Welfare must undergo a major re-organization, and I shall recommend legislation to effect this end. It is my belief that the merged Department of Health and Welfare has run into difficulty largely because too much was attempted too fast with too little. We created a new Division of Mental Health and simultaneously merged it into a new overall Health and Welfare Department. We have run into problems of personnel recruitment, problems of the delineation of authority, fiscal confusion and bureaucratic red tape. Because of these and other complications, our mental health program has been mired in difficulties, I am deeply concerned because of the importance of an inadequate mental health program for the people of this state; and I am convinced that only re-organization can create such a beneficial program. I will recommend that the Division of Mental Health in 1961 be made an independent unit of government. I will also recommend that the Division of Public Health and the Division of Welfare be made separate entities.’ end of quote. Certainly these are not the words of a man who is unsympathetic or turning a deaf ear to this problem as we are led to believe. 5 months away.

“The Division of Mental Health, as the Governor has stated, has run into problems—help—authority—fiscal confusion. Under the present regime in welfare, we can pass bill upon bill hiring psychiatrists, but as long as we have the set up we have now we’ll never be able to KEEP competent psychiatrists. We can appropriate money for local clinics but with the mire of present fiscal confusion within the department, the checks will still be held up as they are now. I am for community Clinics—so is the Governor and he’s almost willing to grant the revenue. Governor King has stated that any emergency existing before his plans for making the Mental Health Division a separate entity could be acted upon—could be handled by a request from the Mental Health Division asking for the funds. . . . The psychiatrists could be hired by a request to the Governor and Council . . . the clerk typists could have been hired by a request to the Governor and Council . . . funds for linen could have been obtained by a request to the Governor and

Council. . . . At the Public Hearing on this bill, it was so brought out that a request by the proper authority to the Governor and Council could have brought about the same results as this bill and in a more orderly and proper manner. Was a recess ordered by the Chairman and a committee sent to the Governor and Council who were in session at the time of the hearing asking if this could be so accomplished? How simple would have been this solution. . . . Too simple. . . . The budget message is ready to come in . . . and THEN is the time for us to act on these measures. . . . For US to act? It is my understanding the *Constitution* on rules clearly states that fiscal bills should originate—not in the *Senate*—but in the *HOUSE*. . . . With tongue in cheek, I might venture to say . . . this bill originating in the Senate is making “a mockery of the constitution or the rules.” And, usually before fiscal bills even are introduced into the house which is the correct doorway for such bills, it is proper, even courteous, to await the governor’s budget message . . . no matter which political party the Governor whoever he or she may be . . . but then when one is reaching . . . sometimes in the heat of the race . . . you don’t mind treading even trampling on time honored precedent.

“I am not denying that there is much to be done in the Division of Mental Health, but brushing off the surface in a flamboyant manner and leaving the basic problem still unsolved will do more harm than good. Is the problem lack of psychiatrists—need of clerk typists . . . lack of linen . . . or is the problem an over-all problem that can best be handled with a thorough change of the entire department set up as requested in the McLane report and which has been carefully sidestepped in this bill. The Division of Mental Health needs revision . . . housecleaning . . . the McLane report so states. . . . I am for a complete reorganization of Mental Health . . . a divorce from the Department of Public Welfare . . . where the authority will be delegated to a head person whose *only duty* is Mental Health . . . who will have as his or her only job—the feeling of the pulse of mental health . . . good for morale . . . good for the patients . . . good for the workers. . . . I am for revision and hiring, and linen and typists and plans in a *complete basic whole concept* not two or three pieces of a jigsaw. . . . I’m for a whole picture, a new department . . . a new look . . . I am not for painting over the dirt for a new top layer . . . I’m for scraping to the bottom and having it correct from

the bottom up. I am opposed to a so-called emergency measure which could have and should have been handled by the Governor and Council if they had been so requested by the proper channels. I wonder why they were not so requested? Political footballs may be many things . . . they can be a chance off-hand statement blown up out of proportion . . . they can be a faux pas in the past which your opponent will never let you forget . . . political footballs can be — in desperation . . . a clutching of any straw . . . but it seems incredible and inconceivable that mental health should have become a political football. For the above reasons, I am voting against this bill. The patients division of mental health needs more than an aspirin . . . The patients, in this case, need major surgery."

Senator Gardner: "Mr. President, to me one of the most urgent problems is to get this personnel. We have a July 1, 1965 deadline to meet to remain an accredited training school.

"I do not have reference to nurses training. Interns training in psychiatry were reluctant to come here with 1 year accreditation. After July 1st, we lose even this, as 3 years will be required for accreditation. I feel when we do reach this goal as required, we will be able to obtain and retain psychiatrists and other necessary personnel to correct present conditions at the New Hampshire Hospital."

Senator Rinden spoke in support of the bill: "As I said I would at the discussion the other day. However, I would like to point out — as has been pointed out, the salaries of these top personnel was increased last September and now, it is going to be increased again. On top of that, there has been thrown in a maintenance provision which I understand is house and board, and in the case of Dr. Yu, he had a cook, too, which would bring it closer to \$5,000 than \$2,500. I am not opposed to all of this, but I would like to get back to some of the conditions that Senator Lamprey pointed out. He has told us that during his tour of the mental institution, the dirt was so thick there, he could scrape it with his foot and that patients were lying in wet beds. The people who are taking care of these patients — they are not the top paid people, but yet, they are the very important people to these patients. They are dependent upon them. There are some 400 attendants there. They take care of these patients, many hours of the day and night. They are only grade 4. Their whole take home pay is less than the mainten-

ance of these top personnel. I say to you, if we are going to improve the conditions, we must get down to the lower pay level. We must get better people — not floaters or drifters as many of them are now. I would suggest that the more basic thing here is to increase the type of the attendants. This was indirectly brought out in the McLane report — it points out the turnover in attendant population. Of course, we have good ones, efficient and dedicated — but just not enough of them. I would like to make this observation, that there is a real need to increase the salaries of the people who do the menial work — clean up the floors and change the beds and all the jobs that have to be done in an institution of this sort. I hope you will consider my remarks when you consider the pay bill which is coming up directly after this. I hope that you will consider my remarks.”

Question being on the Committee Report as amended.

On a *viva voce* vote, the Committee Report as amended was adopted and the bill was ordered to a third reading this afternoon at 2 o'clock.

Special Order of Business for 11:01

Senator Buchanan called for the Special Order. Question being on adoption of the amendment offered by the Finance Committee on SB 1, to adjust classified salaries of state employees.

On motion of Senator Rinden, the Senate recessed for Lunch, to meet again at 2 o'clock.

(Recess)

The Senate re-assembled.

Special Order of Business

Senator Buchanan called for the Special Order.

Senator Rinden: “I would like to rise in opposition to the adoption of the amendment and would urge the passage of SB 1 as originally introduced. In support of my position, I would like to offer some remarks to explain my bill and opposition to the amendment. It cuts down the increase for state employees in the lower classification and leaves them with an inadequate increase. We have three salary features. \$12.50 across the board.

On top of that is added $7\frac{1}{2}\%$, so that an employee in pay grade 1 would receive \$16.50 a week raise. \$5,000 — an increase of \$20 a week. In grade 30, would mean an increase of \$28 a week. This is a compromise bill, designed to satisfy those who would like to have an across the board increase. A greater amount to the higher classification. The amount is approximately 5 million, one hundred fifty thousand dollars per year — over 10 million for the biennium. I would point out that the cost to the general fund will be less than 3 million dollars, according to statistics furnished me by the personnel department. Two million, seven hundred ninety-seven thousand, 8 hundred and ninety-one dollars, to be exact. We have less than 3 million to be drawn from general funds because of other funds that are available to take of this increase. This bill as introduced provided retroactive to January 1, 1965. I am told that there is presently a surplus existing for the year which ends in July of 4 million dollars. This is more than ample to cover the retroactive provision from January 1st. The money is there and the bill takes advantage of the money. My reasons for supporting this bill are that it attempts to give a living wage to those at the bottom level of state employees salary. During the hearing, we had people say that they were taking home less than \$50 a week. \$48. A man who had a family of 3 children. He did not tell the Committee that he was a partially disabled veteran who came back here to New Hampshire with his family of 3 children. Senator Waterhouse told of a highway employee in his town who was unable to meet medical bills, etc. and had to ask for help. I have prepared a sample budget to show what is a minimum wage that you can live on. This is a budget for a family of four.

Food and Milk	\$32.00
Heated Apartment	20.00
Clothing	5.00
Car	5.00
Dentist and Drugs	2.00
Electricity	1.50
Gas	2.00
Telephone	1.50
Incidentals	5.00
Recreation	2.00
Insurance	2.00

\$78.00

NOTE:

1. This assumes deductions for Blue Cross and Blue Shield, Retirement, and taxes over and above the \$78.00.
2. This does *not* provide for emergencies such as medical above Blue Cross and Blue Shield.
3. This does *not* permit purchase of furniture, car or home or savings for retirement to supplement pension.

This minimum budget for a family of four comes to \$78 to be taken home. That \$78 would not provide for any emergency, major expenses, to buy a car, a home, send their children to college, etc. \$78 is not enough for that. This would involve a gross salary of \$90 per week. Yet, there are many employees in state service who will take home much less than \$78. Pay like this is just bare existence. We should give more than consideration of the bare minimum for people to live on. We have received letters from all over the state, employees in all classification of state service in support of this bill. I have three or four dozen letters, all signed. I do not intend to give out the names. I have a petition with 20 names. From all over the state. They represent a strong support of SB 1; an expressed desire to see this bill passed and expressed opposition to the amendment which would decrease the lower classifications. Another reason, and equally important, is to give a living wage.

Introduction of Guests

The Speaker of the House, Walter Peterson, and the Clerk of the House, Francis Tolman, were welcomed to the Senate.

Consideration of SB 1 (continued)

Senator Lamprey: "I rise to explain briefly. Everybody has had the opportunity to study and go into the salary grades. The amendment that we proposed here comes out to a little more than 2 million dollars out of general funds, 1 million three hundred thousand out of highway, 175 thousand out of Fish and Game, 3 hundred fifty-one million out of federal funds, and 142 thousand out of self sustaining agencies, on a yearly basis. Also, grade 1, which has only 15 people, their present maximum is \$59.92. Under this present plan to amend the amount would be \$69.92. In grade 4—this is where the greatest number of peo-

ple are employed. Maximum for grade 4 is now \$66.55. This amendment will make it \$76.55. This takes in 921 people of the 5200 that are presently employees. In grade 7, now receive \$73.10. 453 people. Under this amendment, they would receive \$87.12. It has been brought up that there has been increases in 4 additional grades. From 30 to 34. We presently have 34. This takes in 25 people. Grade 31, includes 5 people. Takes in Director of Board of Dental Services, Employment Security, Administrative Services, 1 chief division of vocational education, grade 32, takes in 17 people. 8 are grade 4, civil engineers. Senior phychiatrist, 1 children's phychiatrist. Grade 33, 2 people, assistant chief engineer and deputy health officer. Grade 34 takes in just 1 person and that is the Director of Child Guidance Clinics, in the person of Anna Philbrook. I would also like to state that these figures are very competitive and comparable to private industry at the present time. There should be a very little actual job swapping and this is important to a good labor climate and therefore it is another reason why we should adopt this amendment. You must remember that in state service there is a high degree of job security while in private enterprise, security rests on the ability of management. I would also point out that this does not take in any of the salary adjustments which must be made during this session of the Legislature. There will be for your consideration, two additional salary bills. One which will take care of the unclassified people in state service and that will amount to approximately 2 hundred thousand dollars a year. Also, temporary and seasonal help which will amount to approximately half a million dollars a year. So actually, we are not talking about 256 million dollars a year, but we are talking closer to 4 million and three-quarters in salary increases per year in all categories. I have quite a lot of information on this particular problem and I will answer any questions. If we do not have the answers, we will get them for you."

Senator Gardner: "As authorized under chapter 221:16 Laws of 1961, the advisory commission to study the salaries of state officials compared the salary scale of business, industry and other units of government in this area with those of this and other states.

"As the Personnel Department now recognizes 815 classified positions employing 5205 persons to staff the various departments performing the services of the state.

"The Committee called upon the Personnel Department to furnish it with the salary information. This information is printed in the January 21st Journals of the House and Senate.

"The requested delay in furnishing this report is regrettable, however, it has enabled us to file a more up to date report, I might add as near up to date as possible at this time as salaries in this and other states change.

"We have completed the job, assigned to us by the Legislature.

"As Chairman of this committee I have contacted Mr. Lang. He has assured me the amendment adopted by the Finance Committee will not substantially affect his figures. As pointed out there is job security in State Service.

"Besides Blue Cross, after 1 yr. state employees receive 3 weeks vacation with pay and the same in sick leave.

"I would like to commend Mr. Lang for the very efficient study prepared for the Committee. Under either the Lang proposals or the SEA amendments the lower grades will be receiving a higher salary rate than in private industry in the Concord Areas.

"I would urge the Senate to pass this bill as amended."

At the request of Senator Johnson, the Chair declared a five minute Recess.

(Recess)

The Senate re-assembled.

Senator Johnson: "This amendment has the full approval and recommendation of the Senate Finance Committee. We have great respect for Senator Rinden. He has spoken well and put forth his point well. We are in sympathy with a great deal of what has been said, but the Senate Finance Committee feels that we have solved the question of salary increases the best that we can here in New Hampshire. I would urge my colleagues to vote yes."

Question being on adoption of amendment offered by committee.

On this question, Senator Rinden demanded a Roll Call.

The following named Senators voted in the affirmative: Martin, Lamprey, Johnson, Gardner, Howard, Saggiotes, Gove, Buchanan, Provost, Bergeron, Tufts and Hunter.

The following named Senators voted in the negative: Lamontagne, Mitchell, Riley, Rinden, Green, Martel, Waterhouse and Foley.

Twelve Senators having voted in the affirmative, and eight Senators having voted in negative, the affirmative prevailed, and the amendment was adopted.

Senator Martel: I am opposed to that provision in Senate Bill One which makes the proposed salary increase retroactive to April 1st, of this fiscal year. Such retroactivity would cost the state one million 240 thousand dollars to be paid from such sources as the general fund, the highway fund, the fish and game fund and the recreation fund.

And these funds do not have the ability to cover both salary increases in the next biennium and this one million 240 thousand dollars of the retroactive increases in the current fiscal year.

Let us examine the situation, fund by fund.

General Fund: The salary adjustment fund balances are included in the estimated general fund fiscal 1965 lapses of \$1,200,000 which must be used to balance the 1966-1967 budget including salary increases.

Highway Fund: Bond authorizations for the highway fund are recommended at \$2,500,000 in 1966 and \$3,000,000 in 1967, leaving a balance adequate to cover 1966-1967 salary increases. A retroactive pay raise will require an increase in the 1966 bonds to about \$3,000,000. The State has never sold bonds to cover operating expenses.

Fish and Game Fund: A combination of a \$300,000 general fund bond authorization and a license increase are necessary to balance the fish and game fund in the next biennium including a salary increase. The fund lacks ability to absorb an additional \$91,500 of salaries.

Federal Funds: The fiscal 1965 federal grants must be either increased to cover a retroactive salary, or expenditures for services to the public must be reduced.

Self-Sustaining Funds: The Recreation fund is one of the major self-sustaining agencies. In the next biennium it is necessary to absorb \$1,300,000 of fund debt service in the general fund in order to keep revenue and expense (including the 1966-1967 salary increase in balance). The already tight budget cannot absorb this additional cost.

1. To sum up — retroactivity will cost the state one million 240 thousand dollars.
2. There is no provision in the recommended balanced budgets to provide for this one million 240 thousand dollars.
3. If the legislature wishes to do this, then additional revenues must be found at once in the general fund, the highway fund, the recreation fund and the fish and game fund.
4. If the legislature does not provide for these immediate additional revenues in these funds then it is acting fiscally irresponsibly.

Senator Martel offered the following amendment:

Amend section 4 of the bill by striking out the same and inserting in lieu thereof the following: 4. Takes Effect. This act shall take effect as of July 1, 1965.

(Discussion ensued)

Question being on adoption of amendment offered by Senator Martel.

On this question, Senator Martel demanded a Roll Call.

The following named Senators voted in the affirmative: Lamontagne, Riley and Martel.

The following named Senators voted in the negative: Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Saggiotes, Gove, Buchanan, Rinden, Green, Provost, Waterhouse, Bergeron, Tufts, Hunter and Foley.

Three Senators having voted in the affirmative, and seventeen Senators having voted in the negative, the negative prevailed, and the amendment was not adopted.

Senator Lamprey presiding.

Senator Martel offered the following Resolution, which was unanimously adopted:

Resolved, That the Minority Leader be allowed the services of a stenographer and a messenger during the course of this session of the Legislature.

Senator Foley inquired if this would be the correct time to ask about parliamentary procedure.

The Chair inquired as to the question.

Senator Foley: "About rule 10 of the Senate. The dividing of a question. On January 6th, I requested this to be done, and the Senate Counsel advised you that would be at the wish of the Senator making the motion. Senator Howard who had offered the motion, did not wish the question divided.

The Chair: "I would state that if an amendment is offered, if it is to be split, then the Senate shall make a decision whether it shall be split or not. Then the Chair will decide as to what questions shall be taken up and how it shall be divided. If a question is going to be divided, it will be by vote of the Senate unless otherwise ordered by the Senate.

At the request of Senator Martel, the Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Martel, the Senate went into the afternoon session.

Afternoon Session

Third Reading and Final Passage of Bills

SB 24, to provide personnel and funds for the department of health and welfare .

Senator Gardner: "Having voted with the majority, I move that the Senate reconsider its vote whereby it passed the above entitled bill."

On this motion, Senator Martel demanded a Roll Call.

The following named Senators voted in the affirmative: Lamontagne, Riley, Martel, Bergeron and Foley.

The following named Senators voted in the negative: Martin, Mitchell, Johnson, Gardner, Howard, Saggiotes, Gove,

English, Buchanan, Rinden, Green, Provost, Waterhouse, Tufts and Hunter.

Five Senators having voted in the affirmative, and fifteen Senators having voted in the negative, the negative prevailed and the motion was lost.

Third Reading and Final Passage of Bill

SB 1, to adjust classified salaries of state employees.

On motion of Senator Howard, the Senate refused to reconsider its vote whereby the above entitled bill was read a third time and passed.

On motion of Senator Tufts, the Senate adjourned at 3:15 p.m.

WEDNESDAY, February 3, 1965

The Senate met according to adjournment.

The Chair declared a quorum present.

Introduction, First & Second Reading of Senate Bills

SB 30, requiring marriage counseling. (Rinden) Referred to Judiciary.

SB 31, legalizing the March 2, 1964 meeting of the Hanover School District. (Johnson) Referred to Education.

Senator Johnson requested the Clerk to read the bill and moved that the rules of the Senate be suspended to dispense with printing, referral to committee, and holding of public hearing on the above entitled bill:

1 Meeting Legalized. All votes and proceedings of the March 2, 1964 meeting of the Hanover School District, including the raising and appropriating of money for the acquisition of land and the authorizing of a bond issue for such purpose, are hereby legalized, ratified, and confirmed.

2 Takes Effect. This act shall take effect upon its passage.

Senator Johnson spoke in support of his motion: "This bill involves the last school meeting in the town of Hanover. The only problem that has come up is the fact that the notice for the meeting was posted on a Tuesday rather than on a Monday, in order to get the 14 days posting. When the time came for the bonds to be issued, the bonding company caught this error. They required fourteen complete days of posting. The \$35,000 bond issue is to purchase land for a new school. There is an emergency at this time to put the bill through for this reason."

Senator English inquired if there was any opposition.

Senator Johnson replied in the negative and further stated: "The School board has asked me to do this."

Senator English spoke in support of the motion.

On a *viva voce* vote, the affirmative prevailed and the motion carried.

The bill was ordered to a third reading and final passage in the afternoon session.

Announcement by the Chair

The Chair announced that copies of the Black Manual had been placed in the desk of each Senator by the Clerk. Further stated that he was pleased to be able to say that this was the first time in the history of the Senate that the Black Manuals had been ready for distribution within a month of the convening of the House and Senate; usually they have come out in March or early April. Stated that additional copies would be available within the next few days.

Further Announcement by the Chair

There has been in the past some dissatisfaction with the fact that Senators and committee members of the House have not been receiving their Journals until they come back to work on Tuesday and the Chair would like to state that he has done considerable work on this legislative printing and last week, I believe, every Senator did receive his Journals on Saturday. Before we can proceed further, it will be necessary to renegotiate the contract for legislative printing. This is a legislative problem, and the Chair would ask for advice and counsel and he will tell you the conversation that he had between the purchas-

ing department and the printer. The printer wants to open up a whole re-negotiation of the contract if we are to receive our Journals by Friday noon, in order that you may have them on Saturday. After two conferences, we worked out a compromise if it would be acceptable to the Senate and the House that we would give him a flat sum of \$2500 (amounting to \$100 a week) in order to see that the Journals were printed and ready for distribution by noon on Friday. This means approximately \$100 a week. It was felt that this was better than trying to open the whole area of the legislative printing problem because if we do that, the printer would wish to increase the remuneration by something like \$1 a page for all of the material that was given to him after 4 p.m. in the afternoon. This was a dangerous thing to open up in view of the above. So, if you would like to receive your Journal on Saturday, the cost is going to be \$2500 — if you wish to do this. I will do anything you may wish.”

Senator Martel: “This offer of \$2500. In your opinion, would not that be something much less than what was considered during the latter part of last year?”

The Chair: “I think it will save thousands of dollars if we do not reopen the whole printing contract. I think this figure is fair to us and fair to the printer. If you are going to force him to work over-time in order to get these Journals out to us. This is quite a complex problem as you well know from the negotiation you sat in on. I will await the pleasure of the Senate.”

Senator Hunter: “In light of this added attraction, I would move that we spend this \$2500 to give us this added convenience. It certainly is very helpful in planning our schedule for the week coming up. Personally, I am very much in favor of it.”

Senator Blaisdell seconded the thoughts and the motion.

On a *viva voce* vote, the affirmative prevailed and the motion carried; that the Chair be allowed to negotiate with the printer.

Introduction of Guests

As the guests of Senators Martel, Provost, and Green: Mr. Alcime Charest, Ward 6 Alderman of Manchester, and Mr. Daniel Burke of Manchester, Minority Leader messenger.

The Chair: "This being a relatively quiet day as far as the Senate is concerned, so far, the Chair, unless otherwise ordered by the Senate, would like to declare a brief Recess and would ask the Assistant to the President, Nate Tirrell, to give a talk on the murals here in the Senate Chamber. I feel this is very interesting and would be enjoyed by many of us who are not familiar with these murals."

(Recess)

The Senate re-assembled.

House Message

The House of Representatives has passed the following entitled bill:

HB 42, authorizing towns to appropriate funds for aeronautical facilities.

Introduction, First and Second Reading of House Bill

HB 42, authorizing *towns* to appropriate funds for *aeronautical* facilities. Referred to committee on Ways & Means.

On motion of Senator Martel, the rules were suspended and all business in order for this afternoon at 2 o'clock was in order at the present time.

Third Reading and Final Passage of Bill

SB 31, legalizing the March 2, 1964 meeting of the Hanover School District.

On motion of Senator Rinden, the Senate adjourned at 11:48 A. M.

THURSDAY, February 4, 1965

The Senate met according to adjournment.

The Chair announced that a quorum was present.

Introduction of Guests

As the guests of the entire Senate, former Senators Cecil Charles Humphreys of Portsmouth and Arthur M. Drake of Lancaster.

Introduction, First & Second Reading of Senate Bills

SB 32, relative to reciprocity in the purchase of liquor. (Lamontagne) Referred to Committee on Liquor Laws.

SB 33, relative to advertising in publications of political parties. (Johnson) Referred to Committee on Finance.

SB 34, to repeal special fishing regulations relative to the upper Connecticut River. (Riley) Referred to Committee on Fisheries & Game.

SB 35, appropriating funds for the purchase of a truck for the bureau of weights and measures of the division of markets and standards in the department of agriculture. (Waterhouse) Referred to the Committee on Finance.

Committee Reports

Senator Buchanan, for the Committee on Banks, Insurance & Claims: SJR 4, to reimburse the town of Hancock for an overpayment of county taxes. Ought to pass.

Senator Buchanan: "Mr. President, this bill is rather routine. As explained to us earlier by the Senator from Hancock, Senator English, it simply adjusts an error which was made in computing Hancock's share of the Hillsborough County tax for certain years. The gentleman who made the error appeared and urged that the Senate Joint Resolution be passed."

Senator English spoke in favor of the passage of the Senate Joint Resolution.

The Committee Report was adopted and the Resolution was ordered to a third reading this afternoon at 2 o'clock.

Senator Provost, for the Committee on Finance: SB 15, relative to salaries of legislative attaches and service assistants. Ought to pass with amendment.

Amendment

Amend section 1 of the bill by striking out in line eight the words "concurrence of the senate" and inserting in place thereof the words, approval of the finance committee; further amend the section by striking out in line ten the words "concurrence of the house" and inserting in place thereof the words, approval of the appropriations committee, so that the section

as amended shall read as follows: 1 Salaries of Legislative Employees. Amend RSA 14:24 (supp) as amended by 1955, 290:1; 335:7. 1957, 314:1. 1961, 280:2. by striking out the same and inserting in place thereof the following, 14:24 Legislative Employees. The salaries of all legislative employees, unless otherwise specifically set by statute, shall be set by the president of the senate with the approval of the finance committee for employees of the senate and by the speaker of the house of representatives with the approval of the appropriations committee for employees of the house.

Senator Martel: "Parliamentary inquiry. Does this mean that the approval of the Senate will not be necessary — simply the approval of the Finance Committee?"

The Chair referred the question to Senator Johnson.

Senator Johnson: "The purpose of this change, or amendment, is to do primarily that, and that is that the salaries of the attaches, secretarial help, will be set by the President of the Senate and the Speaker of the House with the concurrence of the Senate Finance Committee and the House Appropriations Committee. The reason for the bill, in general, is to allow more flexibility in establishing salaries for the people who work for us here in the General Court. At the present time, these salaries are set by statute and because of this, a number of situations have developed which have the appearance and which are, in fact, very unfair. In order then to have the situation whereby the President of the Senate and the Speaker of the House, with the concurrence of the Senate Finance Committee and House Appropriations Committee, may have the authority to set fair salaries, this bill has been presented. Some attaches work three days, and some of the stenographers work five days. As it is now, with the salaries set by statute, it has brought about gross unfairness. It was thought by the Committee that in view of the fact that other types of expenditures have to be approved by the respective Committee, that to give this provision to these Committees would be an adequate safeguard against any situation which might develop which would be unfair. So, it is our recommendation that the bill set these salaries by these respective heads of the two Committees with the approval of the Appropriations and Finance Committees."

Senator Martel inquired of Senator Johnson: "Does that mean that if the report of the committee is carried out in one

way, and if the Senate body does not wish to concur, the Senate body would have nothing to do with it? Is that correct?"

Senator Johnson: "As I said, these salaries would be set in the first instance by the Speaker and the President. Such as the way the Governor and Council functions. It would not come to the floor for debate. But we feel that there are adequate safeguards here, I think, to be very practical. No Speaker and no President is going to open himself up to paying salaries to personnel which are not fair. After all, these people work for us and we must pay them fairly. They must have the ability to do the job required and they must be paid accordingly. It seemed to the Committee that we have built into this adequate safeguards and protection."

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

Question being on adoption of Committee amendment.

On a *viva voce* vote, the amendment was adopted.

Senator Lamontagne stated that he wished to be recorded in opposition.

Also, Senators Martel, Foley, Paquette and Riley.

The bill as amended was ordered to a third reading this afternoon at 2 o'clock.

Senators Lamontagne, Martel, Foley, Paquette and Riley desired to be recorded as being in opposition.

Communication

Mr. Clerk: Kindly announce my gratitude, and that of my colleague in the House, Judge London, to all who made last evening's Sportsman's meeting such a success.

Douglass E. Hunter, Chairman
Senate Fish and Game Committee

Resolution

Senator Rinden offered the following Resolution which was unanimously adopted:

Whereas, Tomorrow, February 5, being the 50th birthday of our colleague Paul E. Provost, Senator from the 18th Senatorial District, now therefore, be it

Resolved, That we, the members of the Honorable Senate, do hereby extend heartiest congratulations and best wishes for a happy birthday this year and for many years to come and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to Senator Provost.

Invitation

Senator Martel: "Mr. President, on behalf of the New Hampshire and Canadian Snowshoe Clubs, I would like to invite you and my colleagues in the Senate to come down to Manchester over the week end. There will be much color — the gay colors of the uniforms of the many Clubs, and lots of activity — I am sure you will enjoy yourselves. I know the officers of these two bodies would be very happy to see each and every one of you."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bill and Senate Joint Resolution

SJR 4, to reimburse the town of Hancock for an overpayment of county taxes.

SB 15, relative to salaries of legislative attaches and service assistants.

Senators Lamontagne, Martel, Foley, Paquette and Riley voted against passage.

Senator Martel: "I have no objection to the features of SB 15 as it was originally written. I voted no because it was amended, because I still feel it should need the concurrence of the entire Senate body."

On motion of Senator Waterhouse, the Senate adjourned at 12:22 o'clock, to meet next Tuesday morning at 11 o'clock.

TUESDAY, February 9, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guest of the entire Senate, the former Senator from District No. 4, Mr. Fred Washburn from Bartlett.

As the guests of Senator Lamontagne, Rita Collyer of Lisbon and William Marsh of Berlin.

Introduction, First & Second Reading of Senate Bills

SB 38, relating to the salaries of special justices of the district courts. (Johnson) Referred to Judiciary.

SB 39, relative to the salary of special justices of the Hanover District Court. (Johnson) Referred to Judiciary.

SB 41, providing reflectorized number plates for motor vehicles. (Johnson) Referred to Public Works and Transportation.

SB 42, to increase the time within which an execution may be issued after judgment. (Johnson) Referred to Judiciary.

Committee Report

Senator Howard, for the Reapportionment Committee: SB 29, to redistrict the State into Senatorial Districts. Ought to pass.

The report was accepted.

Senator Howard: "Mr. President, this bill establishes by reapportionment 24 Senatorial Districts based on population as proposed by the last New Hampshire Constitutional Convention and ratified by New Hampshire voters last November. The Reapportionment Committee was unanimous that the bill ought to pass."

Senator Johnson: "Mr. President, the work of this Special Committee on this bill, I think ought to be commended at this time. The setting up of these Districts is not an easy task. The work was begun very early and has continued up until this

time. It has taken a great deal of effort by the Chairman and members of the Committee. I know this is true because I have seen him for days with adding machine, charts, etc. I would like to go on record that this has been a labor of no small measure. The fact that it has come to us by agreement of all the parties is testimony to the hard work that has been done."

Senator Buchanan: "I would like to echo the sentiments of my colleague from the 5th District. As a member of the Committee, I would like to state that I should not share in this glory as the burden of the work on this bill has been performed by Senator Howard, the Chairman of this Committee. We had two open hearings. There were only two very minor objections to the bill as it was drawn and one rather vocal as to procedure — none of which seemed to have any validity. As a member of the Committee, great credit is due Senator Howard."

Senator Blaisdell: "As a member of the Committee, I wish to compliment Senator Howard. It was a pleasure to serve on this Committee — but it was his work — not ours."

Senator Rinden: "I think it is a monumental occasion to have both Parties agree on a matter such as this. I know that Senator Howard has put in hours and days on this subject. I think we are fortunate in having such a hard worker in our midst."

Senator English: "Mr. President, I am going to support this bill and I have no great objection to the manner in which it was drawn. But the idea of the Supreme Court defining democracy and insisting that the State carry on this change is something which, in my opinion, is not desired by the majority of the people in New Hampshire. We have acquiesced to this and are going along with it. I am acquiescing to it and I am going along with it."

"I join with my colleagues in approving the fine work done by the Committee. I do, however, wish to make a matter of record my opposition to the Supreme Court of the United States defining democracy and telling the State how it should be organized."

"At a later time, I will have more to say on this subject which not only concerns me, but many I represent. Most of the powers of the Supreme Court, we naturally respect, but there

can be, and this would appear to be the case, where this branch of government has overreached itself."

Senator Foley: "I too wish to compliment Senator Howard and the members of the Committee. I only hope we are all this pleased two years from now."

Senator Mitchell: "I too was a member of that Committee and I want to concur with what Senator Buchanan has said — that the Chairman did most of the work. You might say, practically all of it, and I think he should be commended on the number of hours he has put in. I realize that you cannot re-apportion this Senate and have everybody satisfied. He did a wonderful job and was willing to listen to changes and did. All the credit is due Senator Howard."

Senator Green: "I would also like to voice my comment. I think we should all thank Senator Howard for the splendid job that he has done. At the beginning, I was a little bit against this, but after study and understanding it, I wish to commend Senator Howard for the fine job."

Senator Lamontagne: "Being a member of this Committee, I too wish to join in with thanks and appreciation to Senator Howard. In order to make this change, it took one town out of my District. I have no objection. I congratulate Senator Howard."

Senator Martin: "I wish to congratulate Senator Howard for the way in which he has redistricted my District. It is rather unique. I am from District 2 — if I should serve again — and I hope to — I would have Districts 3 and 2. I served in 1959 from District 3. I think it was good of Senator Howard to put these 2 Districts together."

Senator Martel: "Although it is early this session to throw bouquets, but I would be remiss if I did not add my congratulations to Senator Howard, and my deep appreciation for the tremendous amount of work that has been done in preparing this work for our consideration. I can only hope that this spirit of cooperation will follow through up to July."

Senator Riley: "I would like to say that I had perhaps the same apprehension as Senator Green when I first looked over this re-districting proposal. . . . Realizing that this would be a very minor complaint — and to make any changes — would

upset the whole proposal. I think Senator Howard did an excellent job in trying to make everybody satisfied. I would like to congratulate him for his efforts."

Senator Gove: "I feel that I too would be remiss if I did not say something good about Nelson here. He kicked me out of the first row here, but I have no grudge. I have had several lengthy discussions with Senator Howard and I find him very helpful and cooperative. He did a tremendous amount of work and I will go along to show my appreciation."

Senator Hunter: "I am sure that we should make this unanimous. I am in accord with what has been said relative to the wonderful job that Senator Howard has done. He talked about it and he did it. He stuck his neck out that far and accomplished it. I do have one thought — and this has nothing to do with Senator Howard — but in the background — that there will be federal attention paid to this forceful re-districting. The question in my mind is, what will we do then. With that thought, I would like to leave you."

Senator Gardner: "I think Senator Howard knows how I feel. If his buttons are about to pop, I have a needle and thread."

Senator Bergeron: "I hesitate to heap any more praise on Senator Howard. I am afraid he cannot stand it. I heartily extend my congratulations."

Senator Lamontagne: "I feel that seeing that Senator Howard was in the Majority Party and I being in the Minority Party, and knowing the true facts and the way that he was operating as Chairman of the Committee that I worked on — he did not take into consideration only his own Party. That is one reason why I feel that Senator Howard should be complimented on his stand in being fair to all concerned, regardless of Party, in this State."

Senator Howard: "I wish to thank my colleagues on both sides of the aisle — and my appreciation to all the Senators."

Senator Riley: "Speaking about future democracy of our country, and the federal government stepping in, etc. We have seen this re-districting done. Happy with the way it has been done, but perhaps not happy with it. I would like to say that this is perhaps a good thing and I hold no fear as far as the

future of our country and democracy is concerned. One man — one vote.”

The bill was ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Martel, the rules were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bill

SB 29, to redistrict the State into Senatorial Districts.

On motion of Senator Howard, the Senate refused to reconsider its vote whereby the above entitled bill was read a third time and passed.

On motion of Senator Provost, the Senate adjourned at 11:43 A.M.

WEDNESDAY, February 10, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Martin, Dr. Richard Hill, Joseph Delisle, Wayne Ruggles.

House Message

The House of Representatives has passed the following entitled bills:

HB 2, to authorize the payment of money from unclaimed estates into the general fund.

HB 55, to regulate the length of tractor-trailers on highways.

HB 93, to amend the Charter of St. Mary's in the Mountains.

First & Second Reading of House Bills

HB 2, to authorize the payment of money from unclaimed estates into the general fund. Referred to Committee on Finance.

HB 55, to regulate the length of tractor-trailers on highways. Referred to Committee on Public Works and Transportation.

HB 93, to amend the Charter of St. Mary's in the Mountains. Referred to Executive Departments.

Introduction, First & Second Reading of Senate Bills

SB 36, relating to fiduciary powers of trust companies and national banks. (Buchanan) Referred to Committee on Judiciary.

SB 37, relating to the time within which actions for injury must be brought against persons who performed or furnished the design, planning, supervision or construction of an improvement on real property. (Buchanan) Referred to Committee on Judiciary.

SB 40, relative to the New Hampshire Unitarian Association. (Gove) Referred to Committee on Executive Departments.

Committee Reports

Senator Martin, for the Committee on Judiciary:

SB 3, relative to issuances of summons in criminal matters. Ought to pass.

Senator Rinden: "Mr. President, this bill makes a very slight change in the present law which provides that in cases of misdemeanors, where a police officer can arrest the person who has committed the misdemeanor. It inserts the word 'written' which means that it must be a 'written' request to appear in court. This change was heard in Committee without opposition and we think it advances the orderly disposition of these cases and is a protection for those appearing in court."

The bill was ordered to a third reading this afternoon at 2 o'clock.

SB 13, relative to clerk's duties in reference to absentee ballots.

Report the bill as inexpedient to legislate.

Senator English: "Mr. President, when this bill was before the Committee, there appeared to be no proponent. I have checked with the Secretary of State and have made other investigations. It would appear that there is no real need for this measure."

The recommendation of the Judiciary Committee, inexpedient to legislate, was adopted.

Senator Martin, for the Committee on Judiciary:

SB 20, relative to administrative committee of the district and municipal courts. Ought to pass.

Senator Johnson: "Mr. President, the Chairman of the Committee has asked me to say a few words about this bill. This bill relates to a committee to be established for persons serving on both district and municipal courts of our State. The bill passed last session, set up district courts and a committee for district court judges. Also a special committee for towns. The purpose of this bill is to blend these two groups together into 1 committee and this is what the bill does."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Buchanan presiding.

Senator Lamprey: "Mr. President, I would like to address myself at the present time to a communication which was made to us in Joint Convention on February 4, 1965. Although I generally dislike to read what I have to say, I will this time read it so that there will be no misunderstanding as to what is to be said.

"It is now clear to me there will be adequate funds available to implement a much more far reaching program than outlined in the Governor's Budget Message of February 4, 1965. There will be funds available to implement the program as outlined two weeks ago by the Majority Party. A program to more

adequately fulfill the social needs of the people of New Hampshire. This statement is made after careful consideration to several important factors which are mainly these.

“The Governor’s budget, underestimates revenues of income by approximately \$3,250,000. These are figures developed by our able Legislative Budget Assistant and shall have been historically a great deal more accurate than those developed by the Comptroller’s Office which historically have been shockingly inaccurate. These are still figured with a built in safety factor designed to leave us with approximately one million dollar surplus at the end of the 1967 biennium. Therefore, I shall recommend to the Senate Finance Committee and then if approved, increased aid, but not necessarily limited to, the following categories. Increased foundation aid over and above the recommendations of the Governor. Increased aid to education for the retarded child and the special handicapped. Implementation of our guaranteed loan program for students desiring higher education. The Governor has drastically cut the University of New Hampshire and if it can be shown they need additional monies, this need can be met.

“This will enable us to recommend increase on the important matter of cleaning up our rivers and streams of New Hampshire.

“This is predicated, of course, upon the fact that we adopt the increased revenues as recommended by the Governor in his message or in some other modified form. It is too bad that these recommendations could not have been put into effect for the present biennium so that state employees could now be receiving adequate compensation for services rendered.

“Let us now turn to the budget as presented — believe me it is a mess.

“Reorganization is attempted through the manipulation of fiscal controls. This is not a proper approach and I shall, if the Finance Committee agrees, ask for a complete budget based on the present law. Then ask that reorganization be presented in an orderly manner to be considered on its merits. If such budget is not forth coming I shall ask the Senate Finance Committee to rewrite the entire budget giving proper consideration to all departmental budget requests.

"It is evident by the introduction of House Bill 167 and 168 that the Governor desires to set up a virtual State dictatorship by his personal control over the manipulation of funds by foot note and without the benefit of a constitutional intent by using the checks and balances 'with the approval of the Governor's council.'

"The present budget does not include enough money to properly meet the needs of our mental health programs and they shall be closely examined to provide more funds for community clinics, more medical and staff for the New Hampshire Hospital, Laconia State School and the Industrial School together with consideration for additional capital expenditures particularly at the New Hampshire Hospital. The social needs of our New Hampshire citizens must be met and we as responsible Senate Representatives shall provide for these services to help New Hampshire be a better place to live. So help me God."

Senator Lamontagne inquired "Does this mean that you are going to prepare a budget to be submitted before this Senate?"

Senator Lamprey: "I think that this statement speaks for itself in that regard."

Senator Lamontagne: "Have these remarks been prepared by yourself and no one else?"

Senator Lamprey: "I am delighted that you have asked that question. It can be attested to that these remarks were made at 5:30 this morning by myself without the aid or assistance of anyone else. I make it a practice to write my own stuff."

Senator Martel: "Mr. President, it just bears out what I stated earlier in the session that the 1966 campaign is underway. The only thing that we lack here this morning is a moving picture camera to have a good show. There is no reason why we cannot study the Governor's Budget which was presented last week. We can look it over, study it, discuss it, without having another budget message. It is easy for the Senator from the 4th District to take this position because as Chairman of the Finance Committee, he will wield a lot of power to bring about what he wants to do. I think it is unfair to circulate figures that are not so. I can understand his feelings about his Party being defeated

last time, but this is not fair. The Governor still represents a majority of our people. I know one thing — I believe that this is the first time that the other Party is attempting to outspend the Party which has been known as the spending Party over the years. If the people of New Hampshire want it that way, be that as it may."

Senator Lamontagne: "I have held back on some of my remarks because I felt that I wanted the leader of my Party to have the first opportunity to be able to ask and answer the Senator from the 4th District. Personally, I believe through my having served here (this is my 6th term), and whatever Party the Governor belonged to, when I was Minority floor leader, the Governor was always considered. I was willing to do so and other Minority leaders have done the same thing, regardless of Party. Because we learned that when the time came, when the bills were presented, the Governor's budget, that we would be able to voice and express our feelings the way that we really felt. But it seems now that because the Governor is a Democrat — I am not going to blame the Republican Party, but the way the President of the Senate has been speaking is unusual. We have never had this happen before when criticism has been given the opposite whether Republican or Democrat. Also, where the President of the Senate put himself as Chairman of the Finance Committee, that was wrong. The Chairman of the Finance Committee is an important position. When the Governor is absent, the President of the Senate is the acting Governor. I think that deserves some respect in that office. I feel that if this is going to continue, getting criticism all of the time and not working with this Senate's business, then I shall have to turn around — if the laws are to be broken by some Senators, then I can break them too."

Senator Foley: "I think the Senator from the 4th District has offended Webster by the use of "stuff" in referring to his speech."

Senator Johnson: "I somehow cannot see the need of speeches by the Democratic Party. It seems to me rather normal that there would be a statement by the Chairman of the Committee that is to see that our funds are spent wisely in this State. The Governor gave the message to both Parties here. That was his views as to how our money should be spent. I feel that Senator Lamontagne — and the President from the

opposite side here in this Senate Chamber would perhaps have to look no further away than this session to find things being done by his Party. Let's get down to specifics. First, the Governor's budget — as prepared — footnoted throughout the budget. Time after time — we see 'with the approval of the Governor.' You will find that if you look at last year's budget, where there has been a footnote, it has been with the approval of the Governor and Council. I think it is fair to ask why now just the Governor. Referring to the comment of Senator Martel — that we are going to outspend, is rather interesting comment. If he will look back to 1963, he will find that after the budget estimates came in from Mr. Hill, that costs were increased by action of the Legislature, not by the Governor, but by the Legislature.

“Increased by the Legislature by 5.5 million dollars. That means that we had not assumed the responsibility which is ours — these figures are unrealistic. With 9 million 8 surplus this biennium, with our state employees having gone two years with totally inadequate wages. That does not make sense to me. We can look at this thing very carefully and we find that upon the best advice to us, that of Remick Leighton, that we have at least 1.2 million dollars to be spent. It seems to me that our job is to look very carefully at our income and then do what we can do with the income available to us. I cannot see having 8 million surplus, and yet have people who are working for wages that are inadequate — the situation which we have at the State Hospital today, etc. I find it is a little bit hard to understand. As far as the reorganization bills are concerned, there is basis for this. When those departments were organized into the present set up, the Governor took the only responsible stand that he could. One budget as organized and one as reorganized. Now, we have only one budget, as it would be if the Governor has his way and he gets the organization planned that he wants. It would seem to me that the thing to do would be to ask the Governor to submit two budgets, one as organized and one reorganized under his plans. There has been a lot of talk here the past two weeks — comments from the Senator from the 17th District, about the responsible way of going about to make changes. It would seem to me it would be wise to have reorganization bills together. There are committees in the House, they should have a chance to look at this in orderly fashion. What has been done here is to try and tuck this into

the Governor's budget and to shortcut the orderly process of government. In conclusion, it seems to me that it is a perfectly responsible situation for us to suggest that the handling of the state money, both looking at it from the incoming and the outgoing side, that the true responsibility of the General Court. If it is our responsibility, then we have the right to talk about it and that is what the Chairman of the Finance Committee has done. We have the right to ask the Governor to present a budget which is in a workable form. This we have done. In conclusion, I would like to think that we have not started any campaign, but have lived up to our highest ability — have assumed responsibility and will carry it out. Finally, I stated a few days ago when discussing the bill for a mental health program, that we would not get to reorganization perhaps until June. I was asked, why June? I would say, if we are going to do what the Governor requests, we will not be getting to reorganization until June. I say to you that the passage of the mental health bill makes more sense today than when it was first passed."

Senator Lamontagne: "I feel that as far as the recommendations made by the Governor are concerned, any Senator can present amendments before this Senate and the bill can be amended as you see fit. This has been done before, amendments were presented and taken care of. All I am saying is that all we are doing is wasting time. I have checked and in the 5 weeks that we have been in session, only one bill has been signed by the Governor. If you will look back, that is not progressing too fast. I think we can do our work better for the people of New Hampshire if we will get busy and do our work and never mind all this."

Senator Foley: "Senator Lamprey has said that the budget was a mess. That the Governor was attempting to use personal control by himself. Then when any of the Democrats get up and say anything, then Senator Johnson gets up and says he cannot understand. If we do not say much, the people say 'what is the matter with the minority Party?' If we do get up, then the question is raised as to why, and troublemaker. If this is a definition of being a troublemaker, then I am afraid I am going to be on my feet many times in the months ahead."

Senator Johnson: "I think the Senator from the 24th District misunderstands what I am trying to say. It is certainly

permissive for her to speak at any time on whatever she likes. I enjoy having her speak. The matter of the other side of the aisle is not important — she should speak and I am interested in hearing her. Senator Lamprey, in any capacity, has a right to speak. I don't think that anything should be said about the campaign when he does speak. Why do we have to say that we are involved in politics the minute the Senator from the 4th District speaks? Of course, we are in politics. You simply try to attack the concepts. I am always delighted to hear her speak. I just say that here once again, it is the responsible thing to do, to step forward and say that it is the obligation of the House and Senate to do something about spending. You say, wait. I say, why. You must know the information before anything can be done."

Senator Martel: "I would not be surprised to know that Senator Lamprey has been working along with Senator Johnson in preparing his remarks this morning. I am sure that is what has happened. From my notes—about the comptroller's figures. I am disturbed. If this is so, I would welcome any time to have Senator Lamprey invite the comptroller in. I remember Mr. Hill attending budget hearings with the Governor. Can you look me in the eye and tell me that all these budget hearings before the Governor and the Governor's message which was only given last Thursday, that these figures are wrong? We are all over 21 years of age. I feel as I stated earlier, if there are any changes to be made in the Governor's message they can be made in orderly fashion and in due time."

Senator Lamprey: "I just want to assure the members of this Senate that there are very few times that Senator Johnson gets up at 5 a.m. and I can assure you that he was not up at 5 o'clock this morning. He was pretty sleepy even at 7:30 this morning. Seriously, I think we have some obligation here to present to the Senate some degree of fiscal outlook relative to the budget after the budget has been considered. This is what I attempted to do this morning. Nothing more. Nothing less. I said it in the only way that I know how to say it. Every word, Senator, is my own, without collaboration with anyone. In fact, to be more specific, Senator Johnson didn't even see the remarks until after they had been given out and distributed to many other people that were interested."

Senator Blaisdell: "I would suggest to Senator Martel that he change the words from "over 21" to "over 35." Further, I

disagree with Senator Lamprey that the budget is a mess. I direct my other remarks to Senator Johnson. You are not going to clean up the mess at the State Hospital in a few months. The Legislature has been faced with this for some years. Let's get down to the work at hand. Let's do some work toward doing something for these people, but let's do it right. For 5 weeks, you have been wasting my time. Let's get to work and do something."

Senator Lamontagne: "I really believe that the Senator from the 4th District did tell us the truth. I did expect twelve or fourteen pages—but I see that there are only a few pages."

Senator Lamprey: "Thank you for the kind remarks."

Senator Riley: "This is my first go around with politics and in talking with many people after being elected—I was given to understand that there was very little politics among members in the Legislature. That it was very difficult to distinguish party issues. Everybody talked—and agreed. I just find it difficult to understand why we have to be submitted to these political speeches; not pertaining to any bill—just a program. If anything is the matter, I think it may be here in the New Hampshire Senate."

Senator Bergeron: "We took a great deal of time and effort in passing the pay raise and the mental health program. It is passed and has left us. Let's spend our time on things for the State, for the benefit of the people here."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 3, relative to issuances of summons in criminal matters.

SB 20, relative to administrative committee of the district and municipal courts.

On motion of Senator Waterhouse, the Senate adjourned at 12:20 o'clock.

THURSDAY, February 11, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Martin, District No. 2, Mr. and Mrs. Bradley Cooper of Littleton, New Hampshire.

House Message

The House of Representatives has passed the following entitled bills:

HB 53, to repeal an appropriation to the Granite State Dairymen's Association.

HB 101, legalizing the proceedings at the 1963 annual town meeting in the town of North Hampton.

HB 66, to authorize the Maine-New Hampshire Interstate Bridge Authority to install a moveable draw span on the lower deck level at pier 21 of the Piscataqua River Bridge.

HB 132, legalizing the organization of Fall Mountain Regional School District and repealing certain laws relating to Charlestown School District.

First & Second Reading of House Bills

HB 53, to repeal an appropriation to the Granite State Dairymen's Association. Referred to Committee on Executive Depts., Municipal & County Government.

HB 101, legalizing the proceedings at the 1963 annual town meeting in the town of North Hampton. Referred to Committee on Executive Depts., Municipal & County Government.

At the request of the Chair, the Clerk read the above entitled bill as same was not printed:

1 Proceedings Legalized. The votes and proceedings at the annual town meeting of the town of North Hampton held on March 12, 1963 are hereby legalized, ratified and confirmed.

2 Effective Date. This act takes effect on its passage.

HB 66, to authorize the Maine-New Hampshire Interstate Bridge Authority to install a moveable draw span on the lower deck level at pier 21 of the Piscataqua River Bridge. Referred to Committee on Public Works & Transportation.

HB 132, legalizing the organization of Fall Mountain Regional School District and repealing certain laws relating to Charlestown School District. Referred to Committee on Executive Depts., Municipal & County Government.

On motion of Senator English, and by unanimous consent of the Senate, the rules were suspended, the order vacated whereby the above entitled bill was referred to the Committee on Executive Depts., Municipal & County Government, and the bill was referred to the Committee on Education.

Introduction, First & Second Reading of Senate Bills

SB 43, relative to the laying out of class IV, V, and VI highways by cities and towns. (Gove) Referred to Public Works and Transportation.

SB 44, relating to professional engineering. (Johnson) Referred to Executive Depts., Municipal & County Government.

SB 45, relative to time of filing for city and town elections. (Johnson) Referred to Committee on Judiciary.

Introduction of Guests

Senator Martel introduced as his guests, the members of the Senior class of St. George's Catholic High School, the "Problems of Democracy" class, accompanied by Sister Ste. Lucie.

Concurrent Resolution

Senator Johnson offered the following Concurrent Resolution which was referred to the Committee on Interstate Cooperation:

Concurrent Resolution relative to the manner of amending the Federal Constitution.

Whereas, the House of Representatives did on Tuesday, February 26, 1963, adopt Concurrent Resolution No. 7, memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to Article V thereof; and

Whereas, on April 9, 1963, the Senate did adopt said Concurrent Resolution No. 7; and

Whereas, said Concurrent Resolution No. 7 called for a duly attested copy of the Resolution to be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this state, now therefore be it

Resolved, by the General Court that such actions of the 1963 General Court are hereby reconsidered, reversed and repudiated, and be it further

Resolved, That a copy of these resolutions be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each member of Congress from this state.

Petition

The Chair announced that he had received the following Petition to the General Court and requested the Clerk to read same:

CITY OF CONCORD

In the year of our Lord one thousand nine hundred and sixty-five

Resolution Relative to a petition to the General Court of the State of N. H. and particularly the Concord Delegation thereto, requesting legislation which will provide additional revenue to the City of Concord to relieve the tax burden on real estate.

The City of Concord resolves as follows:

Whereas, the City of Concord is faced with a constantly rising tax rate occasioned by a general inflationary trend and continuing demands for increased municipal and school services; and

Whereas the City of Concord depends in large part upon the tax on real property to obtain its revenue, which tax has

become so burdensome as to discourage the ownership and improvement of real estate; and

Whereas the City of Concord is particularly concerned because of the inequitable and regressive aspects of the stock-in-trade tax and the high percentage of non-taxable real estate within its limits;

Now Therefore, be it

Resolved that the City of Concord does urgently petition the General Court of the State of New Hampshire and the Concord delegation in particular, to give immediate and serious consideration to legislation which will provide a substantial additional source or sources of tax revenue to the City of Concord and other New Hampshire municipalities, and that copies of this resolution and statement by Alderman Tardif be provided all members of the Concord Delegation in the House and Senate, the Governor, Speaker of the House and President of the Senate.

Senator Rinden: "I just wish to announce that I have already introduced a bill by title to accomplish the purpose of this letter which will speak to the need that has just been read to us."

Remarks by the Chair

"The Chair would take this opportunity to speak on a procedural problem relating to the introduction of bills through the Rules Committee which has been agreed to unanimously by the Committee on Rules.

"The Rules Committee will not consider legislation which has previously been introduced to, and rejected by, the House of Representatives Rules Committee.

"Legislation that is to be introduced through the Rules Committee must be of an emergency nature, or the problem was one not known by the Senator prior to the cut-off date which, if memory serves me correctly, was January 28th. Are there any questions?"

Senator Lamontagne: "Does this mean if a Senator wishes to have a bill introduced under suspension of the rules that he would not be able to introduce it?"

The Chair: "No, certainly not. At any time, a Senator may suspend the rules to introduce a bill at any time. The Rules Committee of the Senate will take a liberal consideration of legislation that might be introduced through the Senate, but there must be ground rules. I am particularly interested in not having legislation introduced through our Rules Committee where the legislation might have been previously rejected by the body on the other side of the wall. Therefore, I just want to clarify this particular aspect of our procedure."

Senator Lamontagne: "I cannot understand exactly what you mean. If there is a bill that I am interested in and I think a member of the House is going to introduce it, the Rules Committee will not consider it?"

The Chair: "It may be introduced through suspension of the rules, but not through the Rules Committee if the House Rules Committee has previously rejected it."

On motion of Senator Martel, the rules were suspended and all business in order for this afternoon at 2 o'clock was made in order at the present time.

Afternoon Session

Senator English: "Mr. President, with reference to the Concurrent Resolution which was referred to the Committee on Interstate Cooperation earlier in the session. I wonder if we might have an explanation of the Concurrent Resolution."

Senator Johnson: "In 1963, the Resolution which this document speaks of was passed by both the House and Senate. It deals with a calling of a Constitutional Convention at the national level. At the time, I think we were somewhat confused as to its intent and operation. It passed the Senate as well. After the Resolution had passed both Houses, this particular Resolution, in effect, says that a state may ask Congress to have a bill in turn placed before legislatures for adoption as an amendment to our national Constitution. If three-fourths of the states were to ask Congress to shift this question in turn back to the state, this would be a means of having our national Constitution amended without either a Constitutional Convention order or having Congress take action to ask the states to change the national Constitution. This was a very drastic change in having our federal Constitution amended because at no point

would there ever be any single debate of all the persons of the country coming together in one place and holding debate. The fact of the matter is that this Resolution has been passed in several of the states of the south and New Hampshire. Perhaps also in Idaho, but outside of the south, this Resolution has been turned down in almost every single state. Last session, this caught the attention of the Bar Association of New Hampshire and was therefore brought back into the House and was rescinded by the House. By this time, we were up to June 30th and by the time it got to the Senate, we simply ran out of time. When the bill came back into the House to have the action rescinded, it had the support of the Governor, the Bar Association, and other various groups. They all admitted, and I do too, that we were sleeping in passing this Resolution. Now, we are trying once again to have full debate with much more knowledge than we had the other time."

On motion of Senator Howard, the Senate adjourned at 11:52 a.m. to meet next Tuesday morning at 11 o'clock.

TUESDAY, February 16, 1965

The Senate met according to adjournment.

A quorum was present.

House Message

The House of Representatives has passed the following entitled bills:

HB 135, relative to an appropriation for the airport of the town of Whitefield to meet requirements for state and federal aid.

HB 14, relative to misbranding of drugs containing narcotics.

Read and Referred

HB 135, relative to an appropriation for the airport of the town of Whitefield to meet requirements for state and federal aid. Referred to Committee on Finance.

HB 14, relative to misbranding of drugs containing narcotics. Referred to Committee on Public Health, Welfare & State Institutions.

Committee Reports

Senator Paquette, for the Nashua Delegation: HB 74, to increase the salaries of aldermen of the city Nashua. Ought to pass.

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SJR 1, Joint Resolution in favor of Henry Junior Cassidy. Ought to pass.

Senator Buchanan: "Mr. President, this resolution had no opposition in hearing. Mr. Cassaday and friends testified for him. This man suffered a serious injury while working for the state. While he was compensated for his loss of time under the sick leave rule, he received nothing covering the expenses of the injury. The Committee was unanimous in feeling that the resolution ought to pass."

The Senate Joint Resolution was ordered to a third reading this afternoon at 2 o'clock.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SB 9, relative to motor vehicle accident reports. Inexpedient to legislate.

Senator Lamontagne: "Mr. President, don't you feel at this time, with the sponsor of the bill not being here, that we should wait until he arrives, before taking action?"

The Chair: "Yes, he is on his way in. I will declare a brief Recess, awaiting his arrival.

(Recess)

The Senate re-assembled.

Question being on adoption of resolution, inexpedient to legislate, in connection with SB 9, relative to motor vehicle accident reports.

On a *viva voce* vote, the recommendation of the committee was adopted.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: SB 7, relative to the powers of the ballot-law commission. Ought to pass.

The bill was ordered to a third reading this afternoon at 2 o'clock.

Introduction of Guest

Senator Lamontagne introduced Mr. Norman Pepin of Berlin to the Senate.

Committee Reports (continued)

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: SB 27, relating to adjustments in the apportionment of public taxes. Ought to pass.

Senator Rinden requested explanation of the bill before action was taken.

Senator Buchanan: "Mr. President, the Chairman of the Tax Commission, Mr. Chandler, appeared in favor of the bill and pointed out to us that in assessing towns and cities for their share of the County tax, they frequently will base it on the assessed valuation. This does vary. As an example, in the case of Lebanon which had a very disastrous fire last year which rendered them useless as far as taxes are concerned. This imposed an unfair tax liability on Lebanon and this legislation would enable the Tax Commission to adjust their share of the County tax, so that they will be paying an equitable County tax."

Senator Lamontagne inquired: "Would this legislation take care of special cases — say where an error was made — as was the case in the recent Hancock problem?"

Senator Buchanan: "I do not think so. It appears to me that in the case of the bill of Senator English with respect to Hancock, where an error was made by someone in the Tax Commission, legislation would have to be passed specifically each time. This would have no effect in cases like Hancock."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Martin, for the Committee on Finance: SB 33, relative to advertising in publications of political parties. Ought to pass.

Senator English requested an explanation of the bill.

Senator Johnson: "Mr. President, I am the sponsor of this bill. It deals with a situation of a corporation giving funds for a book to be published by a political Party; the so-called Year Book. Last year, a Year Book was put out by the Democratic Party. It was published under the name of the Executive Secretary, but it was a book for the Party. The purpose of this bill is to make it clear that the persons putting the book out are the Party itself. That is all that the bill does."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Resolution

Senator Provost offered the following Resolution which was unanimously adopted:

Whereas, the 19th of February is the anniversary of the flag raising on Iwo Jima and Rene A. Gagnon of Hooksett is one of two remaining veterans of the six who raised the flag on Iwo Jima, and

Whereas, Mr. Gagnon will celebrate his 40th birthday on March 7th and will return to Iwo Jima on February 19th, and therefore be it

Resolved, That we hereby congratulate Mr. Gagnon on his birthday and pay tribute to his service to our country, therefore be it further

Resolved, That a copy of these Resolutions be transmitted to Mr. Gagnon.

Senator English: "Mr. President, last Thursday, the Senate was kind enough to permit the change in referral of HB 132, legalizing the organization of Fall Mountain Regional School District and repealing certain laws relating to Charlestown School District, to the Committee on Education. This was done because this was an urgent matter, but on Thursday, I did not have the information necessary to speak on the matter. At this time, I do have the information and I would move that

the rules of the Senate be suspended to dispense with the holding of Committee Hearing on this bill and to permit the introduction of a Committee Report not previously advertised in the Journal. This legislation is required in order to assist in the bonding. This has to do with an arrangement between North Charlestown, Charlestown and Walpole. The Senators from the 8th and 10th Districts who are aware of this situation, are sympathetic to it. It was heard before the Joint Committee in the House, had an excellent hearing, and was passed under suspension. It was there hoped that we could handle it last Thursday, but at that time, I did not have the information to answer any questions that might come up in connection with it. I now have the information and it seems that this is a meritorious proposal and I would ask that the Senate consent to suspending the rules and take the bill up at the present time."

On a *viva voce* vote, the affirmative prevailed, and the rules were suspended.

Committee Report

Senator English, for the Committee on Education: HB 132, legalizing the organization of Fall Mountain Regional School District and repealing certain laws relating to Charlestown School District. Ought to pass.

The bill was ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills & Joint Resolution

HB 74, to increase the salaries of aldermen of the city of Nashua.

HB 132, legalizing the organization of Fall Mountain Regional School District and repealing certain laws relating to Charlestown School District.

SB 7, relative to the powers of the ballot-law commission.

SB 27, relating to adjustments in the apportionment of public taxes.

SB 33, relative to advertising in publications of political parties.

SJR 1, in favor of Henry Junior Cassady.

The Chair recognized Senator Buchanan: "Mr. President, last Thursday, at the conclusion of the Senate, we stayed in session informally, for a question and answer period, with a group of young people who were the guests of the Senator from the 17th District. Senator Martel orated at some length with respect to the functions of the Senate, and to some degree, of the House of Representatives. I got a great deal out of the remarks of Senator Martel. I would like to suggest, especially to the voters of the 17th District, if next year they are smart enough to return Senator Martel to the Senate, that this speech be given for the benefit of the freshman Senators at that time."

The Chair recognized Senator English: "Mr. President, I think we might note, as a matter of interest, the fact that our neighbor Canada has a new flag. For twenty, thirty, or forty or more years, there has been the question of having a new Canadian flag. It displays a maple leaf as its principal emblem."

Senator Martel: "Speaking of Canada — I am a native born American who has taken himself over the 45th parallel many times. I will be leaving tomorrow to attend the annual International Congress of the Société Richlieu in Ottawa, Canada. I will be very happy, as I have done in the past, to convey the best wishes of the President and the members of this Senate to members of Parliament in Ottawa when I visit the session there as I always do."

The Chair: "Thank you — I believe we might have a Resolution drawn up to that effect."

Senator Hunter expressed his pleasure at seeing Senator Howard back in his seat after the little upset of last Thursday.

On motion of Senator Foley, the Senate adjourned at 12 o'clock noon.

WEDNESDAY, February 17, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guest

The President welcomed to the Senate, former Senator from the 9th District, Attorney Stanley Brown of Manchester.

Committee Reports

Senator Martin, for the Committee on Judiciary:

SB 2, relative to unit ownership of real property. Ought to pass.

Senator Johnson: "Mr. President, this is a bill introduced by the Senator from the 4th District involving the ownership of property by groups of persons who might own a portion of a building — an apartment in an apartment house, for example — for tax reasons and purposes. Under this bill, a person might live on the 5th floor of an apartment house and actually own only the walls within which he lives. He, along with a lot of other people, together might own the entire building, but he would own a fractional share of the building. This has been passed in better than two-thirds of the states."

Senator Bergeron inquired: "This is not a revision, but a new concept?"

Senator Johnson replied in the affirmative.

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Martin, for the Committee on Judiciary: SB 5, relative to appointment and salaries of court stenographers. Ought to pass.

Senator Johnson offered the following amendment:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following: 1 Appointment of Court Stenographers. Amend RSA 519:26 (supp) as amended by 1955, 271:1. 1957, 129:1; 140:1. 1961, 221:14. 1963, 260:3 by striking out the same and inserting in place thereof the follow-

ing, 519:26 Appointment. The superior court, acting as a body, shall appoint such official court stenographers as they deem necessary, who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court, and it shall set the salaries of each which they shall receive from the state. Each shall be sworn to the faithful discharge of his duties. They shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of their notes as the presiding justice may direct, *and shall perform such other duties as the presiding justice shall direct.* They shall also furnish a transcript of so much of the evidence and other proceedings taken by them as either party to the trial may require on payment therefor by such party at the rate fixed by the court as provided in section 30.

On motion of Senator Johnson, the reading of the amendment was dispensed with and he explained: "Mr. President, this amendment simply adds the words 'and such other duties as the court shall prescribe.' The purpose being to list the various jobs of the court stenographers and then add to it 'and shall perform such other duties as the presiding justice shall direct.' This will allow the court the flexibility of setting the salaries. At the present time, the first day, they get the same pay as those who have been there for fifteen years."

The amendment was adopted, and the bill as amended was ordered to a third reading this afternoon at 2 o'clock.

Senator Martin, for the Committee on Judiciary: SB 10, relative to providing for immunity from liability in emergency cases. Ought to pass.

Senator Johnson: "Mr. President, this is a bill introduced by Senator Buchanan. In the last session of the Legislature, we passed a statute — 'the good Samaritan' act. This applied to accidents only on the highway, to allow a doctor to stop at the scene and give aid, without liability. The purpose of this statute is to allow him to give aid anywhere. (cites the example of a

person in a ski area who breaks a leg — the doctor wishes to be helpful) This is the purpose of the bill.”

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Martin, for the Committee on Judiciary: SB 23, repealing the penalty imposed upon atheists and blasphemers. Inexpedient to legislate.

Senator Rinden: “Mr. President, this is a repeal of a criminal statute which has been on the books for some time, which defines as blasphemy the taking of the name of God, Jesus Christ or the Holy Ghost. The Committee saw no reason for taking this off the statutes. Therefore, the Committee reported the bill as inexpedient to legislate.”

The resolution of the Committee, Inexpedient to Legislate, was adopted.

Resolution

On motion of Senators Martel and English, the following Resolution was unanimously adopted:

Whereas, on February 15, 1965, the Government of Canada officially hoisted its new national flag; and

Whereas, cordial relations have always existed between the Republic of the United States of America and the Canadian Confederation; and

Whereas, The frontiers of the State of New Hampshire may be considered as a link rather than a demarcation with our northern neighbor, now, therefore be it

Resolved, that the Senate of the State of New Hampshire congratulate the Canadian Government on the occasion of this memorable event expressing a sincere wish that the new colours will serve to strengthen the union between the two great races which make up the Canadian Nation;

Further Resolved, That a copy of these Resolutions be transmitted to the Honorable Lester B. Pearson, Prime Minister of Canada.

Louis I. Martel
Robert English

Announcement by the Chair

The Chair stated: "I would like to call a Recess at the present time for the purpose of receiving bills from the House of Representatives. We will receive these bills only and no other business will be transacted other than the third reading and final passage of the bills that have previously been so ordered by the Senate. Unless otherwise ordered by the Senate, I will declare a Recess."

(Recess)

The Senate re-assembled.

The Chair announced that no House Message having been received, he would await a motion to suspend the rules and advance the business.

On motion of Senator Mitchell, the rules were suspended and all business in order for this afternoon at 2 o'clock was made in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

SB 2, relative to unit ownership of real property.

SB 5, relative to appointment and salaries of court stenographers.

SB 10, relative to providing for immunity from liability in emergency cases.

On motion of Senator Bergeron, the Senate adjourned at 12 o'clock noon.

THURSDAY, February 18, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator Martel, District No. 17, was granted leave of absence on account of important business.

House Message

The House of Representatives has passed the following entitled bills:

HB 7, discontinuing the Portsmouth term of the superior court.

HB 38, to reclassify a Class II highway in the town of Bartlett to a Class V highway.

HB 41, prohibiting the sale of sweepstakes tickets by unauthorized persons.

HB 62, to provide for the appointment of a chairman of a committee of the general court while in recess.

HB 72, to reclassify a Class V highway in the town of Rindge to a Class III highway.

HB 78, to reclassify a Class II highway in the town of Durham to a Class V highway.

HB 151, relating to the assessments of public utility taxes.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

SB 31, legalizing the March 2, 1964 meeting of the Hanover School District.

Read and Referred

HB 7, discontinuing the Portsmouth term of the superior court. Referred to the Committee on Judiciary.

HB 38, to reclassify a Class II highway in the town of Bartlett to a Class V highway. Referred to the Committee on Public Works and Transportation.

HB 41, prohibiting the sale of sweepstakes tickets by unauthorized persons. Referred to the Committee on Judiciary.

HB 62, to provide for the appointment of a chairman of a committee of the General court while in recess. Referred to Executive Depts., Municipal & County Government.

HB 72, to reclassify a Class V highway in the town of Rindge to a Class III highway. Referred to Committee on Public Works & Transportation.

HB 78, to reclassify a Class II highway in the town of Durham to a Class V highway. Referred to Committee on Public Works & Transportation.

HB 151, relating to the assessments of public utility taxes. Referred to Committee on Ways & Means.

Introduction, First & Second Reading of Senate Bills & Senate Joint Resolution

SB 46, prohibiting electioneering on election day. (Buchanan) Referred to Committee on Executive Depts., Municipal & County Government.

SB 47, relative to taking moose. (Lamontagne) Referred to Committee on Fisheries & Game.

SB 48, relating to hairdressers. (Blaisdell) . Referred to the Committee on Public Health, Welfare and State Institutions.

SJR 6, in favor of Eva Tenofsky. (Green) . Referred to the Committee on Finance.

Committee Report

Senator English, for the Committee on Education: SB 28, relative to the Union School District in the Town of Littleton. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following sections: 1 Referenda. The union school district of the town of Littleton is hereby authorized and empowered to vote at its 1965 annual meeting for the purpose of determining whether the provisions of the laws of 1909 chapter 313 shall be amended so as to provide that the school board shall be increased from five to nine members and thereafter may be altered by vote of the district. At the 1965 annual meeting there shall be printed on the official ballot the following question:

“Shall the school board be increased from five to nine members and the school district be given the authority, by

vote, at any future annual meeting to decrease the number of school board members?

yes ☐ no ☐

If, and only if, a majority of the voters present and voting at the 1965 annual meeting vote in the affirmative the laws of 1909 chapter 313 shall be amended as provided by sections 2 and 3 of this act.

2 Board of Education. Amend Chapter 313 of the Laws of 1909 by inserting after section 2 the following new section: 2-a Board of Education. The board of education of the Union School District of the Town of Littleton shall, from the date of the 1966 annual meeting or any adjournment thereof, consist of nine members, provided, however, that said number may be altered in accordance with the provisions of RSA 197:15, as amended. At said annual meeting there shall be elected by ballot six members as follows: three members for a term of three years, two members for a term of two years, and one member for a term of one year, and thereafter three members shall be elected at each annual meeting of said district for a term of three years.

Further amend the bill by re-numbering section 2 to read 3 and section 3 to read 4.

On motion of Senator English, the reading of the above amendment was dispensed with.

Senator English: "Mr. President, this bill has been amended to place clearly before the people of Littleton the determination as to whether they should change from a 5 to 9 man school board. The original bill asked the Legislature to provide a 9 man board as was approved by a sparsely attended school meeting. A total of 263 voters were present at that meeting out of approximately 3,500 on the town check list. The Committee felt further careful attention by the people of Littleton to this controversial proposal was desirable."

The amendment was adopted.

The bill as amended was ordered to a third reading this afternoon at 2 o'clock.

Senator Buchanan presiding.

Introduction of Guests

Senator English: "Mr. President, I wish to introduce 9 Argentinians visiting in connection with the Argentine Experiment of International Living; Kitty Kunath, Julio Mabragana, Dolores Cano, Torge Zaimakis, Noma Gregoric, Antonio Bercezely, Roberto Chloca, Oscai Saravalli and Juan Carlos Carco. The group is at the University of New Hampshire for two weeks. The hostess of the group in Durham is Mrs. Richard Myers (League of Women Voters). El Senado del estado de Nueva Hampshire os da la bienvenida.

As the guest of Senator Saggiotes, Mr. Joseph C. Mayette, Jr., Selectman of Plainfield.

As the guest of Senator Howard, Sarah Merlen of Gloucestershire, England.

Committee Report

Senator Martin, for the Committee on Engrossed Bills: HB 74, to increase the salaries of aldermen of the city of Nashua.

Having considered the same, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first ten lines and inserting in place thereof the following:

1 City of Nashua; Aldermen. Amend Laws 1947, 341:1, as amended by 1949, 441:4 and as further amended by 1957, 377:2, by striking out the words "two hundred dollars per year" and inserting in their place the words, three hundred fifty dollars per year; by striking out the words "four hundred dollars per year" and inserting in their place the words, five hundred fifty dollars per year, so that the section is amended to read as follows:

1. Salaries of Aldermen. The salary of each ward

Senator Martin explained the amendment offered by the Committee on Engrossed Bills: "Mr. President, this is merely a correction in punctuation."

The amendment was adopted.

Report of Committee on Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled bills:

HB 132, An Act legalizing the organization of Fall Mountain Regional School District and repealing certain laws relating to Charlestown School District.

SB 31, An Act legalizing the March 2, 1964 meeting of the Hanover School District.

Paul E. Provost
For the Committee

The report was accepted.

The Chair recognized Senator Lamontagne: "Mr. President, next week, the week end of February 27 and 28, we are having the national Olympics at Berlin. I wish to extend an invitation to the members of the Senate to attend. It will be a beautiful meet. It will be the first time that New Hampshire has had the Olympics on the new ski jump. We wish to show our appreciation of the Berlin project — they have added another 14 feet over. If any members of the Senate intend to come to Berlin, please let me know."

The Chair declared a Recess, subject to the call of the Chair.

(Recess)

The Senate re-assembled.

House Message

The House of Representatives concurs with the Honorable Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

SB 24, to provide personnel and funds for the department of health and welfare.

Amend section 3 of Senate Bill 24 by striking out the words "commissioner of health and welfare" where they appear the second time and inserting in their place the words, director of the division of mental health, so that the section is amended

to read as follows: 3 Authority to Employ. Notwithstanding any of the provisions of RSA chapters 94, 98, and 99, all as amended, the commissioner of health and welfare with the approval of the advisory commission shall nominate for appointment by the governor and council a director of the division of mental health who shall be paid a yearly salary of \$18,875 (Minimum) to \$21,875 (Maximum), a superintendent of the New Hampshire Hospital who shall be paid a yearly salary of \$17,896 (Minimum) to \$20,896 (Maximum), an assistant superintendent of the New Hampshire Hospital who shall be paid a yearly salary of \$16,220 (Minimum) to \$19,220 (Maximum), and maintenance for all three of those positions, and for the classified position of resident physician at Laconia State School a board certified pediatrician (clinician) at a salary range of fifteen thousand dollars (Minimum) to eighteen thousand dollars (Maximum) plus partial maintenance. Any amount paid to any of the persons employed for any of the above four positions, under the authority of this act, above the amount provided for such position by the provisions of RSA 94 or 99, as amended, shall be a charge against the salary adjustment fund.

Further amend the bill by striking out section 5 and by renumbering sections 6 and 7 to read sections 5 and 6 respectively.

Senator Lamprey: "Mr. President, I move that the Senate concur with the amendment as offered by the House. This is a most gratifying moment to be able to offer the motion to concur insofar as forward progress is, and can now be made, at the New Hampshire Hospital, and to a lesser degree, but importantly so, at the Laconia State School. A few minutes ago, I sat in the House of Representatives and I heard the charge made, that politics were involved in this particular SB 24. Let me point out now two significant points. One is this, that two weeks ago, I stood in this very spot and said that the patients at the New Hampshire Hospital were not receiving adequate attention. This charge has never been denied by anyone. Secondly, I said two weeks ago that the administration was deliberately, in my opinion, trying to destroy one of the major departments in the State of New Hampshire. That charge has never been denied and I would like to follow up with what has happened since the passage of SB 24. There is no secret that during the Senate hearing the Democrat National Committee-

woman Winifred E. Hartigan opposed this legislation in that committee hearing. It is my understanding that the Minority leader in the House of Representatives made the move to delete that section which would have given additional aid to the Mental Health Clinics in the State of New Hampshire. I am sorry that they have placed themselves in a position where they now must defend their every action regarding Mental Health because they are firmly opposed on the record. Furthermore, I do not think but what that bill (SB 24) would have come down from the Appropriations Committee intact if the threat had not been made within the Appropriations Committee itself that the Minority leader, William Craig, stated that he would bring a Minority report to the floor, something that has never occurred in recent history. I am sorry that it was necessary, in order to help the New Hampshire Hospital and the Laconia State School, that they find now it is necessary to delete the Mental Health program. We *tried*. But the Minority party, through the encouragement of the Governor, because the Governor's official representatives have appeared in hearings against this bill, have now firmly shown where they stand. I am not sure that this is the answer, of course, because I am not sure what cooperation we are going to get from the executive of New Hampshire relative to the filing of the positions at the New Hampshire Hospital. I said this on this very spot two weeks ago, that there was no cooperation. That Dr. Conti had been denied an interview, and I have yet to hear a denial.

Facing these facts, I make the motion that we concur with the House amendment as received a few minutes ago."

Senator Martin: "Mr. President, I rise to say that I am deathly disappointed to have this Mental Health Clinic program struck from this bill. I am fully aware of the fact that we cannot afford to delay this matter; I know of the need in my own town of Littleton where we have been trying to set up a Mental Health Clinic but have not been able to do so because the funds were not available. There is not a Mental Health Clinic north of Laconia. I stand here and tell you that it is badly needed in the area near Littleton."

Senator Johnson: "Mr. President, I just want to rise to say how pleased I am as one of the sponsors of this bill that you have taken the first step in this Mental Health program here in New Hampshire. There are some people who say that this

is only a first step, that we must look to the overall program and re-organization. I have said before, and I wish to say it once more so that it is perfectly clear, that when the re-organization bill comes before us, I want to give it my thought and study. When all of the evidence is in, I will cast my vote. I don't think anyone can decide as to re-organization at this time as the evidence is not in. It is disappointing to me that we are now here two weeks after I had spoken before about the fact that the McLane report had been on the Governor's desk since August of 1964; and as of this date, we still do not have the plan for reorganization presented to this body. So, I think because of this serious delay, it seems to me that there is great wisdom in taking the step that we are taking to correct the situations which are most acute and that we secure the psychiatrist and superintendent at the hospital. This is a very important first step because there is a situation at the New Hampshire Hospital which can only be cited as an emergency. We have been told that the Governor will sign this bill and this pleases me also. What this bill does is to hit at the problem of having our State Hospital not being a caretaker, but a place where patients can receive proper care. I am happy that the House has adopted our program with the exception of the Mental Health Clinic. It is a shame that this part of the proposal was left out. This is the first line of defense. This is unfair, but the fact remains that we cannot delay this bill any longer. We must take this very important first step. In general then, I am very pleased that this bill is going through and I hope that all of the Senators will vote to adopt this amendment as it comes from the House."

Senator Lamontagne: "Mr. President, I don't quite agree with all that the Senator from the 4th District has said, but personally, seeing that this bill is before us and the Governor has said that he will sign this bill, I think we should give the executive branch this bill and see what does happen. I am sure that this will be passed. One section — the Mental Health Clinic — I am disturbed because I know my area is very much in need of such a Clinic. We have already witnessed yesterday before the Ways & Means Committee that the University of New Hampshire is going to get another 1 million 5, so I think these expenditures which have been increased have a lot to do with it. We must have additional revenue if we are to have ad-

ditional spending and I don't know where we are going to get it with the additional spending."

Senator English: "Mr. President, If I may, I would like to remind the Senators that this becomes effective on its passage and not 60 days after passage."

Senator Riley: "Mr. President, being a member of the Minority, I am not happy with the remarks being made by the members of the Majority party, relative to the Mental Health program. If we had a leaking roof, we would not fix it by pasting dollar bills over the leak. This is not the solution. This will be taken care of very shortly. We want a good study and a good program thoroughly investigated and instituted. I think this will be done shortly."

Senator Johnson: "In opposition to what has been said here and at the hearing before the House Committee, the Counsel for the Governor stated over and over again that this bill could have been taken care of by executive action with the exception of the asterisk. The answer is: Why didn't he?"

On a *viva voce* vote, the Senate voted to concur in adoption of the amendment.

On motion of Senator Lamprey, who had voted with the majority, the Senate refused to reconsider its vote above.

Introduction of Guests

Senator Riley introduced two guests to the Senate, his wife, Mrs. Doris Riley, and friend, Mrs. Letendre.

On motion of Senator Blaisdell, the rules were suspended to permit all business in order at 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bill

SB 28, relative to the Union School District in the town of Littleton.

Senator Foley desired to be recorded as having voted against passage of the above bill.

On motion of Senator Lamprey, the Senate adjourned at 12:40 o'clock, to meet next Tuesday morning at 11 o'clock.

TUESDAY, February 23, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guest of Senator Foley, her daughter, Mary Carey Foley, a freshman at St. Thomas Aquinas High School.

As the guests of Senator Martin, the members of the U. S. History class at Littleton High School, accompanied by their teachers Mr. Barry Clough, and Mrs. Shirley Aldrich, and chauffeur, Bud Richardson.

As the guests of Senator Buchanan, his three sons, Shepard, Alexander and Scott.

As the guest of Senator Johnson, his wife, Mrs. Nancy Johnson.

As the guest of Senator Tufts, his son, James A. Tufts, an 8th grade student at Exeter Junior High School.

House Message

The House of Representatives has passed the following entitled bills:

HB 142, legalizing the organization of Timberlane Regional School District.

HB 152, relating to the debt limit of Timberlane Regional School District.

Read and Referred

HB 142, legalizing the organization of Timberlane Regional School District. Referred to the Committee on Education.

HB 152, relating to the debt limit of Timberlane Regional School District. Referred to the Committee on Education.

Senator Gove, District No. 9, presiding.

Senate Resolution

Senator Howard offered the following Senate Resolution:

Whereas, The federal government has awarded the State of New Hampshire a grant for planning relative to mental retardation, effective from July 1, 1964 through December 31, 1965, and

Whereas, Full use of said grant will be of great benefit to the state as a whole and particularly in advancing this phase of the problem of helping those afflicted with such mental illnesses, now therefore be it

Resolved, by the Senate that a committee of three senators be appointed by the president to ascertain what positive action has been taken to make use of said federal grant, how and where said funds have been expended or committed, and what supervision or accounting procedures have been established to assure that the fullest use possible is and will be made of this grant, and be it further

Resolved, that said committee be directed to report its findings and recommendations to the Senate by March 30, 1965, relative to this particular grant and its recommendations as to the method of handling any future grants of a like kind so that the state will be assured of receiving the maximum benefit therefrom.

Senator Lamprey: "Mr. President, I rise in support of the Resolution offered by the Senator from the 7th District. There has been mention here before of this planning grant relative to Mental Retardation. This subject matter is not new relative to the State family. However, in the six or seven months that it has been before the proper agencies of the State, there has been very little development. I would like to bring out first, that it is my understanding, as of this minute, there has not been a single meeting held relative to the problems dealing with the planning for the improvement of the program of Mental Retardation. Furthermore, and more serious than that, is the fact that there has been received in the State of New Hampshire, federal funds which today are not in a bank, or on deposit, or have not been deposited in any bank. Federal funds which are available — issued by the federal government — which are lying around in the desk drawer of someone's desk. Those people that are most concerned with this particular program, who, the last time I checked, had not been consulted relative to this Program. Therefore, I feel that the Senate, and the peo-

ple of the State of New Hampshire, have a right to know where the bungling is going on in our State government. I hope this committee will be objective, a fact finder, and a committee that will report recommendations for the improvement of the handling of such grants in the future and one also that will recommend an improved method of dealing with the fiscal aspects and fiscal controls which presently appear to be lax. With these objectives in mind, I would hope that the entire Senate would support the Resolution as offered by the Senator from the 7th District."

On a *viva voce* vote, the Resolution was unanimously adopted.

Pursuant to the above, the President appointed as members of said Committee, Senators Gardner, Howard and Bergeron.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled Senate Bill:

SB 24, An Act to provide personnel and funds for the department of health and welfare.

Eda C. Martin
For the Committee

The report was accepted.

Introduction of Guests

The President introduced as his guests, his daughter Diane, and Thomas Kemp from Meredith.

The Chair recognized Senator Martel: "Mr. President, I would like to take this opportunity this morning to show to my colleagues in the Senate, the new Canadian flag, which was presented to me last Thursday when I was received by Senator John Connolly, Senator Norman Lambert, Ontario; and Senator Donald Smith of Nova Scotia. I could not tell you how moved these three Senators were when I presented to Senator Connolly the copy of the Resolution which this body adopted last Wednesday, carrying the official seal of the State of New Hampshire. I was taken out to luncheon at the Parliament cafeteria and had the opportunity to explain to them the Legislature of the State of New Hampshire. They also told me of their

body. There, the House of Common has 265 members and the Canadian Senate has 102 Senators, who are appointed for life tenure by the Prime Minister."

Senator Martel displayed the new Canadian flag to the Senate.

The Chair: "I am sure the entire Senate joins with me in expressing thanks to the Senator from the 17th District and appreciation of the fine neighborly relationship between the Provinces and the State of New Hampshire."

Senator Lamprey presiding.

On motion of Senator Martel, the rules were suspended and all business in order for this afternoon at 2 o'clock was made in order at the present time.

Afternoon Session

On motion of Senator Martin, the Senate adjourned at 11:45 a.m.

WEDNESDAY, February 24, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Lamontagne, the son of Representative Richard O'Hara, Donald O'Hara of Gorham, N. H.

Also, Past Department Commander D.A.V. Thomas Migneault of Nashua, and E. Szalojiska, Adjutant D.A.V. Chapter No. 11, Laconia.

Also, Mrs. Doris M. Grasser, Chaplain, Disabled American Veterans' Auxiliary Department of New Hampshire, and Reverend Raymond W. Grasser, State Department Chaplain D.A.V. (which position he has held for 16 years), both of Portsmouth.

As the guest of Senator Martel, one of his three sons, John Martel, Professor of Sciences at Penacook High School.

As the guest of Senator Green, Mrs. Beverly HARRISES, Assistant Chairman of the Manchester Republican City Committee.

As the guest of Senator FOLEY, her daughter, Mary Carey FOLEY, a freshman at St. Thomas Aquinas High School.

As the guests of Senator ENGLISH, Mrs. Robert STROMBECK and Mrs. Richard AMADON, both of Hancock.

House Message

The House of Representatives has passed the following entitled bills:

HB 11, to authorize liens on real property by persons who receive support from towns.

HB 12, to authorize liens on real property owned by county paupers.

HB 65, relative to Strafford House at Plymouth State College.

HB 125, relating to duties of tax collector.

HB 126, relating to the filing of property tax inventories.

HB 144, relative to Class III recreational roads.

HB 150, relating to payment in lieu of taxes on land acquired for municipal water supply purposes.

Read and Referred

HB 11, to authorize liens on real property owned by persons who receive support from towns. Referred to the Committee on Judiciary.

HB 12, to authorize liens on real property owned by county paupers. Referred to the Committee on Judiciary.

HB 65, relative to Strafford House at Plymouth State College. The Chair announced that the above bill makes no sense as written and that he would defer referral until tomorrow.

HB 125, relating to duties of tax collector. Referred to Committee on Executive Depts., Municipal & County Government.

HB 126, relating to the filing of property tax inventories. Referred to the Committee on Executive Depts., Municipal & County Government.

HB 144, relative to Class III recreational roads. Referred to Committee on Public Works & Transportation.

HB 150, relating to payment in lieu of taxes on land acquired for municipal water supply purposes. Referred to the Committee on Ways & Means.

Introduction, First & Second Reading of Senate Bill

SB 49, relative to hunting with muzzle-loaders. (Riley) Referred to Committee on Fisheries & Game.

Committee Reports

Senator Lamprey, for the Committee on Finance: HB 135, relative to an appropriation for the airport of the town of Whitefield to meet requirements for state and federal aid. Ought to pass.

Senator Martin: "Mr. President, HB No. 135 is for \$35,000 to relocate a portion of the Boston and Maine Railroad tracks near the Whitefield Airport, thereby making it possible for them to extend the runway to accommodate all large planes and small jets.

"This airport is needed, as at the present time they have no *public* transportation service, either by rail, bus, or air into this part of the state.

"There are many hotels in this area, and some of them feel that they cannot continue to operate unless plane service close by is provided.

"For several years, an airport has been maintained in the Town of Whitefield, but only small planes can be accommodated.

"At the public hearing before the Appropriations Committee, there were many proponents, among them Mr. Weston from the Governor's office. No one appeared in opposition. It passed the House without comment.

"At the public hearing before the Senate Finance Committee, there were about 20 appearing in favor, including Tom

Power of the Governor's office and Roger Crowley, Director of the Aeronautics Commission. There was no opposition.

"I trust that this body will vote this bill 'Ought to pass'. Thank you."

Senator Martel: "Mr. President, I am very happy to concur with the Senator from District No. 2."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: SB 22, to authorize the practice of mechanical dentistry. Inexpedient to legislate.

Senator Gardner: "Mr. President, the report of the Committee was unanimous. It was felt that not only do artificial dentures restore and maintain the harmony and appearance of the face, but also proper skill in fitting dentures is most necessary to protect the patient's health. Only dentists have the qualified education which enables them to determine abnormal conditions in the bone structure of the mouth. Knowledge of anatomy, physiology, histology, bacteriology and pathology, besides the mechanical knowledge of tooth alignment and the proper use of various dental materials, are required in constructing and repairing dentures. Improper fitting of dentures with chronic areas of irritation are a known cause of cancer of the mouth. I understand 95% of cancer of the mouth is discovered by dentists. For this reason, if no other, we should not pass SB 22."

Senator Lamontagne: "Mr. President, well, I don't quite agree with all the remarks made by the Senator from the 6th District. Although I am not an authority on mechanical dentures and am not in that field of work, I did learn a great deal about it. I think I could duplicate a set of false teeth for someone after what I have gone through. The reason this bill was requested is because of those who have attended this schooling. They have spent a great deal of time and money — it spells out that they must have a certificate from a dentist or doctor; that could be checked. But as far as the making of the dental plates and going ahead and making repairs to dental plates, I am sure that those who make these plates know more about it than the dentist does. The dentist refers back to these technicians. I am

not going to ask for a Roll Call. My ears have been open and I have been listening. The dentists are really up in arms and I will not ask for a Roll Call."

On a *viva voce* vote, the resolution of the committee, Inexpedient to Legislate was adopted.

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: SB 11, to authorize the state council on aging to determine the purpose for which federal funds received by it may be spent. Ought to pass.

Senator Gardner: "Mr. President, the New Hampshire Council on Aging receives an appropriation of \$2,000.00 This barely meets expenses of the Council itself. As sufficient funds from the State have not been available to promote special projects and to obtain Chairmen for all Counties, they wish permission to use federal funds, if and when these become available, for whatever purposes seem best to the Council in order to promote the duties the Council was charged with."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator English, for the Committee on Education: HB 142, legalizing the organization of Timberlane Regional School District. Ought to pass.

Senator English: "Mr. President, HB 142 was explained at the joint hearing by Richard Upton, who pointed out that this was one more case where the bonding firms desired to correct a technicality."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator English, for the Committee on Education: HB 152, relating to the debt limit of Timberlane Regional School District. Ought to pass.

Senator English: "Mr. President, HB 152 has to do with the debt limit. It was explained that a town can borrow 10% of its assessed valuation. In this case, 12% would be required. Actually, the present increase in the valuation would make the amount that needs to be borrowed well within the 10% limit."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Johnson, for the Committee on Finance: SJR 5, to reimburse legislators for attendance at National Legislative Leaders Conference. Ought to pass.

Senator Buchanan: "Mr. President, this bill will correct an inequity which has existed for quite some time. These people attended this Conference in good faith, representing the State of New Hampshire. They should be reimbursed for out of pocket money."

The Joint Resolution was ordered to a third reading this afternoon at 2 o'clock.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bill:

HB 74, An Act to increase the salaries of aldermen of the City of Nashua.

Paul E. Provost
For the Committee

The report was accepted.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills & Joint Resolution

HB 135, relative to an appropriation for the airport of the town of Whitefield to meet requirements for state and federal aid.

HB 142, legalizing the organization of Timberlane Regional School District.

HB 152, relating to the debt limit of Timberlane Regional School District.

SB 11, to authorize the state council on aging to determine the purposes for which federal funds received by it may be spent.

SJR 5, to reimburse Legislators for attendance at National Legislative Leaders Conference.

The Chair recognized Senator Martel: "Mr. President, under personal privilege, I just wish to make this remark. A question has been made as to the appointment yesterday by the Chair of two Majority and one Minority, as to whether I had been consulted as to the member of the Minority Party to be appointed. I just wish to inform my colleagues that I had not. With all the charity I can command, and I think I owe it to the Chair, I would ask that the Minority may at sometime be consulted as to what member of his Party should be appointed to committee by the Chair. I know that Rule 26 of the Senate makes no mention of this. I also know that through past experience, this being my second year in the Senate, and having served several in the House, that both the President and the Speakers have consulted with the Minority Leader as to when appointments were to be made. I would very much appreciate it if the Minority Leader would be recognized in that particular sense."

Senator Foley inquired the names of the Senators named by the Chair yesterday to serve on the Committee pursuant to Senate Resolution adopted as offered by Senator Nelson Howard.

The Chair replied: "Senators Gardner, Howard and Bergeron."

Introduction of Guests

The President welcomed to the Senate, a group of Boy Scouts in the gallery, and expressed the wish that they would enjoy the day.

The Chair recognized Senator Riley who stated that he wished to make a correction of his remarks in the Journal of last Thursday. Inquired if this correction could be made tomorrow.

The Chair replied in the affirmative, in the form of a motion.

On motion of Senator Tufts, the Senate adjourned at 12 o'clock noon.

THURSDAY, February 25, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator Johnson was granted leave of absence for the day on account of important business.

Introduction of Guests

As the guest of Senator English, Reverend Mary Upton of Harrisville, who served as guest Chaplain today.

As the guests of Senator Tufts, his daughter Anne, a student in the 6th grade, and friend, Elizabeth Brownell.

As the guests of Senator Saggiotes, two of his three daughters, Susan, age nine and a student in the 4th grade, and the middle daughter, Mary Ann, age seven, and a 2nd grade student.

Referral of House Bill

The Chair stated that at this time he would refer the following House Bill which was messaged in from the House yesterday: (about which there had been some question) HB 65, relative to Strafford House at Plymouth State College. Referred to the Committee on Finance.

House Message

The House of Representatives has passed the following entitled bills:

HB 45, to give the right to vote to a person becoming of voting age within six months after moving from one place within the state to another place within the state.

HB 136, to limit recovery of past due expenses at Laconia State School to a period of five years, and to set a statute of limitations on actions for their recovery of six years.

HB 212, providing for the classification of the surface waters of the Nashua river watershed.

The Message further stated that the House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Honorable Senate:

Concurrent Resolution No. 4

granting authority for certain legislative sub-committees to travel to Maine.

Whereas, for several years there has been under study by the legislatures of New Hampshire and Maine a proposed high level bridge to be built between Portsmouth, New Hampshire and Kittery, Maine, and

Whereas, on previous occasions the members of the sub-committees of the committees on Public Works and Transportation of the Maine Legislature have traveled to New Hampshire to discuss this proposed bridge, and desire that this year our committees meet with them in their state of Maine, therefore be it

Resolved by the House of Representatives the Senate Concurring:

That authority is granted to the sub-committee of the committee on public works of the house of representatives, consisting of five members, and the sub-committee of the committee on public works and transportation of the senate, consisting of three members, to attend a conference in Augusta, Maine with their counterparts in the Maine legislature regarding the proposed high level bridge to be built between Portsmouth, New Hampshire and Kittery, Maine.

Senator Gove: "Mr. President, this came about as a result of our investigation into the bridge at Portsmouth and in some of the House investigations. It was found that the funds from Maine for the bridge had lapsed and there was some degree of difference of opinion as to how this should project itself. The House committee felt that it would be advantageous to confer with the members from Maine and we had an executive meeting on this matter and agreed to have the members take the trip. I move that the Senate concur in the adoption of this Concurrent Resolution."

Senator Foley: "Mr. President, as the Senator from this District involved, I should like to concur with the Senator from the 9th District."

Senator Riley: "Mr. President, I was reading yesterday's paper, I believe it was the Union — I thought the members from the committee from Maine said that these funds had not lapsed. I am not trying to throw any monkeywrench — but I would like to clear up this point."

Senator Gove: "I was talking on the floor of the House just five minutes ago with members of this committee and there seems to be some confusion, but the conclusion was that there were different ideas and from information from the Clerk of the Maine Legislature, it was felt that this was more needed than ever."

Senator Riley expressed his thanks.

Senator Lamontagne: "In answer to Senator Riley's question — I have been talking with the Chairman of the PUC and it was stated by him that the funds had lapsed. Therefore, I would concur with the remarks of Senator Gove."

On a *viva voce* vote, the Senate voted to concur in the adoption of the above Concurrent Resolution No. 4.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 74, to increase the salaries of aldermen of the city of Nashua.

Read and Referred

HB 45, to give the right to vote to a person becoming of voting age within six months after moving from one place within the state to another place within the state. Referred to the Committee on Judiciary.

HB 136, to limit recovery of past due expenses at Laconia State School to a period of five years, and to set a statute of limitations on actions for their recovery of six years. Referred to the Committee on Public Health, Welfare & State Institutions.

HB 212, providing for the classification of the surface waters of the Nashua river watershed. Referred to the Committee on Resources, Recreation & Development.

Introduction, First & Second Reading of Senate Bill

SB 50, to amend the Charter of Women's Aid Home. (Martel) Referred to the Committee on Executive Depts., Municipal & County Government.

Committee Report

Senator Mitchell, for the Committee on Liquor Laws: SB 32, relative to reciprocity in the purchase of liquor. Report the same with the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following: relative to listing of New Hampshire liquor products

The amendment was adopted.

Senator Mitchell: "Mr. President, this bill simply states that any liquor product that is manufactured or bottled in New Hampshire shall be placed on a special list. It does not require the Commission to put any new items on the list. The idea is that if you have seen one of the Maine lists, it is very extensive, and must mean the employment of a lot of people. That is one thing that we hope we may have here in New Hampshire — to employ more people."

The bill as amended was ordered to a third reading this afternoon at 2 o'clock.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 135, An Act relative to an appropriation for the airport of the town of Whitefield to meet the requirement for state and federal aid.

HB 142, An Act legalizing the organization of Timberlane Regional School District.

HB 152, An Act relating to the debt limit of Timberlane Regional School.

For the Committee
Eda C. Martin

The report was accepted.

On motion of Senator Martel, the rules were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bill

SB 32, relative to listing of New Hampshire liquor products.

The Chair recognized Senator Martel: "Mr. President, parliamentary inquiry — is it true that there will be no session on March 9th?"

The Chair: "In the past, it has been the custom that the General Court not meet on Town Meeting Day, which this year is March 9th. I would expect that the same custom would be followed."

Senator Lamontagne: "Does that mean that we would be meeting on Wednesday, Thursday and Friday of that Week?"

The Chair: "That is up to the Senate, but I would assume so."

On motion of Senator Rinden, the Senate adjourned at 11:45 a.m., to meet next Tuesday morning at 11 o'clock.

TUESDAY, March 2, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Green, Mr. Norman Harris and Mr. Pete Kouletsis and their 4, 5, 6, 7, and 8th graders of the Winter Day Camp of the Jewish Community Center of Manchester.

House Message

The House of Representatives has passed the following entitled bills:

HB 148, relating to posting of budgets under the municipal budget law.

HB 149, relating to reporting the names of municipal officers.

HB 195, to authorize the Ashland School Board to decrease the School Board from six to five members.

HB 200, relative to unemployment compensation trust funds.

HB 205, relative to the salary of the Mayor of Nashua.

The Message further stated that the House of Representatives has voted to concur with the Senate in the passage of the following captioned Joint Resolution:

SJR 4, to reimburse the town of Hancock for an overpayment of county taxes.

Read and Referred

HB 148, relating to posting of budgets under the municipal budget law. Referred to the Committee on Executive Depts., Municipal & County Government.

HB 149, relating to reporting the names of municipal officers. Referred to the Committee on Executive Depts., Municipal & County Government.

HB 195, to authorize the Ashland School Board to decrease the School Board from six to five members. Referred to Committee on Education.

HB 200, relative to unemployment compensation trust funds. Referred to Joint Committee of Labor and Judiciary.

HB 205, relative to the salary of the Mayor of Nashua. Referred to Special Committee consisting of Nashua delegation.

House Message

Mr. President:

The House of Representatives concurs with the Senate in the passage of the following entitled bill, with amendments, in

the passage of which amendments the House of Representatives asks the concurrence of the Senate:

SB 15, relative to salaries of legislative attaches and service assistants.

Amend section 1 of the said bill by striking out the same and inserting in place thereof the following:

1 Legislative Attaches and Employees. Amend RSA 14:24 (supp) as amended by 1955, 290:1 and 335:7; 1957, 314:1 and 1961, 280:2 by striking out said section and inserting in place thereof the following: 14:24 Salaries. The salaries of all legislative attaches and other employees, unless otherwise specifically provided by statute, shall be determined by the president of the senate, with the approval of the finance committee, for such attaches and employees of the senate and by the speaker of the house of representatives, with the approval of the appropriations committee, for such attaches and employees of the house of representatives. The salaries as determined hereunder shall be a charge upon the appropriation made for the legislature.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Limitation. Nothing herein shall be construed as authorizing the reduction in salary of any attache or employee who was in office or who was employed by the legislature at the beginning of the 1965 session which salary was determined by the statutes then in force.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Amend RSA 14:18 by striking out the words "Any officer or employee of the senate or house of representatives shall be allowed mileage at the rate of seven cents per mile to and from his home for each day of attendance up to a maximum of fifty miles for one way of travel" and inserting in their place the following: Any officer or employee of the senate or house of representatives shall be allowed mileage at the same rate as other state employees for each day of attendance up to a maximum of one hundred miles for the round trip, so that the section is amended to read as follows:

14:18 Travel Allowance to Officers and Employees. Any officer or employee of the senate or house of representatives shall be allowed mileage at the same rate as other state employees for each day of attendance up to a maximum of one hundred miles for the round trip. Any fractional part of a mile shall be deemed to be one mile for the purposes hereof. The committee on mileage shall be the arbiters of all disputes and claims involving payment of mileage to such officers and employees.

5 Takes Effect. Sections 1, 2 and 3 shall take effect upon passage. Section 4 shall take effect as of January 6, 1965.

Senator Johnson: "Mr. President, I move that the Senate concur in the adoption of the amendments. These changes that have been made in this bill, that has already passed the Senate, are minor and quite small in number. The first change is to make the bill retroactive to the start of this session as opposed to the 1963 session. This seems to be a fair way. The salaries are not to be lowered by any action of this session. It provides that this session shall be a basis for any persons involved in this bill. The next change is the setting up of the payment for mileage. Under the bill, it was pegged at 7c per mile. The change is to give these persons who are employed by the Legislature the same rate as other state employees. This gives us safety for the future and if there is an increase in the mileage of other state employees, it will apply to our employees as well. This seems to me to make sense. The final section of the bill says that the mileage shall be retroactive to the first of the year. I would like to say just one final word on this bill. As you know, this bill provides that the salaries of attaches and employees shall be set by the respective head of each body of the Legislature, with the approval of the Finance or Appropriation Committee. I think it is well for us to keep in mind the method of legislative spending which we have at this time. At the present time, in the House, it is approved by the Speaker of the House and only 3 members of the Appropriations Committee. The spending of legislative appropriation in the Senate is by approval of the President himself. It seems to me that this bill adds a safeguard in putting this matter before the full committee. One other thing, and that is that at some time, there is an advantage to have these things cleared by a small body rather than the whole body. It puts additional responsibility on the smaller group. I

think we can rest assured that the salaries will be given a very close scrutiny by those involved."

Senator Foley: "Mr. President, I should like to voice objection to this amendment and the bill in general. I feel that the Senate as a whole should be allowed to set salaries, and the number of these employees. I think this would be a safeguard — to have the two Committees, rather than as this bill provides. This matter should be taken care of out in the open. We should be able to discuss it in here, rather than having it come in on a piece of paper and know nothing about it. I voted NO when this first came up and I am still opposed to this and wish to be so recorded."

Senator Johnson: "This is the same argument that we went through before. It seems to me that there will be no secrecy involved here. Any Senator who wishes to know who has been hired and who is employed here — they will be allowed to know this. There is nothing being done here to try to have secrecy. If there were ever to be any abuse, it is perfectly clear that a vote of the Senate may take any particular job out of the appropriation — you will have a chance to have the whole body vote. So you both have the opportunity for full Senate debate on any particular job that you wish to talk about if the time ever comes. I think that both of your appropriations can be very easily met in regular course here."

Senator Riley: "Previous to this, did it not require the concurrence of the Senate?"

Senator Johnson: "It did not. This was debated at some length when this first passed the Senate. There has been no change in this whatsoever."

Senator Foley: "I am not voting this on Party lines. If circumstances were reversed, I would vote the same way that I am now."

Senator Johnson: "This is not a Party issue. This is a question of good orderly government. No attempt is being made to make this a Party policy. We have upgraded the protection. However, if you are unhappy with the salary of any employees, all you have to do is to come in here and introduce a bill and make it a statutory matter, just as the matter of the Clerk. You may rest assured this can be done."

On a *viva voce* vote, the Senate voted to concur.

Senator Foley desired to be recorded as voting against the amendment and the bill.

Committee Report

Senator Mitchell, for the Committee on Agriculture: SB 14, to change the labeling requirements of agricultural seeds. Ought to pass with amendment.

Amend the bill by striking out section 9 and inserting in place thereof the following: 9 Effective date. This act shall take effect upon its passage.

Senator Mitchell: "Mr. President, the amendment simply changes the effective date from 60 days after passage to make it effective on passage. This was done at the request of the Commissioner of Agriculture. This bill makes the labeling uniform throughout the states, with the exception of Georgia. There was no opposition to the bill."

The amendment was adopted, and the bill as amended was ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator English, the rules of the Senate were so far suspended as to permit the introduction of a Committee Report not properly advertised in the Journal.

Senator English, for the Committee on Education: HB 195, to authorize the Ashland School Board to decrease the School Board from six to five members. Ought to pass.

Senator English: "Mr. President, the title accurately describes this bill. There was unanimity as to its merits."

The bill was ordered to a third reading this afternoon at 2 o'clock.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following captioned Senate Joint Resolution:

SJR 4, Joint Resolution to reimburse the town of Hancock for an overpayment of county taxes.

Paul E. Provost
For the Committee

The Report was accepted.

Resolution

Senator Green offered the following Resolution, which was unanimously adopted by a rising vote:

Whereas, We have learned with sorrow of the death of Thomas B. O'Malley a former senator and member of the House of Representatives for several sessions; and

Whereas, He has served as Head of the Manchester Housing Authority since its inception; now, therefore, be it

Resolved, That the members of the Senate pay tribute to our former member for his services to his city and state, and be it further

Resolved, That we extend to his family our heartfelt sympathy in its bereavement; and be it further

Resolved, That the Clerk of the Senate transmit to his family a copy of these Resolutions.

Introduction of Guests

As the guests of Senator Riley, two guests from Bedford.

On motion of Senator Blaisdell, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 14, to change the labeling requirements of agricultural seeds.

HB 195, to authorize the Ashland School Board to decrease the School Board from six to five members.

Senator Buchanan expressed his thanks for the gift of maple sugar presented to each Senator from Senator Mitchell.

The Chair recognized Senator Lamontagne: "Mr. President, under personal privilege, I would like to give the Senate a report of the ski activities in Berlin the past week end. I feel that I should make this report to you because due to the leadership of some members of the Senate, the appropriation was set

up for the repairs to the Berlin ski jump. I would like to report that the event went off very successfully. There are some compliments that I would like to make. Compliments should be made to the State Police, along with the local police and the auxiliary police, which handled the traffic. We had better than 6,000 cars with between 15,000 and 18,000 people in attendance. We had only one small accident. I believe the law enforcement people should be complimented on a good job well done. As to the committee for the national ski jumping in Berlin. It was handled so well that everybody there enjoyed the event. We were fortunate — instead of having rain as was the case in the southern part of the State — we had snow, and this made everybody happy. Again, I would say to those involved in both the Senate and the House, thanks and appreciation to those who made this money available. That it was money well spent. The Worlds' Sports will be shown of this event this coming Sunday."

On motion of Senator Riley, the Senate adjourned at 12 o'clock noon.

WEDNESDAY, March 3, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator Buchanan was granted leave of absence for today and tomorrow on account of important business.

Introduction of Guests

As the guests of Senator Martin, Mr. Randall Spalding, Chairman of Whitefield Regional Airport, and also proprietor of the Spalding Inn Club in Whitefield, one of our finest North Country Hotels. Also, Mr. John Delaney, President of Whitefield Bank and a member of the Whitefield Regional Airport. Also, Mr. Edward MacDonald, Selectman of Whitefield.

As the guest of Senator Mitchell, Mr. Ray Burton of Bath, N. H.

As the guests of Senator Foley, two of her sons, J. J. Foley and Barry Foley.

Communication

VETERANS ADMINISTRATION
Office of the Administrator of Veterans Affairs
Washington, D. C. 20420

February 25, 1965

The Honorable Stewart Lamprey
President of the Senate
State of New Hampshire
Concord, New Hampshire

Dear Senator Lamprey:

This concerns the resolutions of the Senate of the General Court of New Hampshire relative to the proposed change in Veterans Administration activities in Manchester, New Hampshire. I welcome the opportunity of explaining the reasons for our decision and how the proposed change will affect service to veterans in New Hampshire.

Let me say initially that the decision to make adjustments in the field structure of the Veterans Administration, which includes Manchester, was made only after considering many factors relating to the service we render. Delimiting dates for many readjustment benefits have been reached and others will terminate in the not too distant future. We have improved and simplified our operating procedures and consolidated programs when it was in the interest of efficiency and economy. Paramount in our consideration of changes in the past and at present is our ability to continue to provide needed service to veterans.

In deciding to merge certain administrative activities of the Manchester Regional Office with those of the Boston Regional Office, we looked at our total picture in that area. Our hospital and outpatient activities in Manchester are not affected. Recurring benefit payments to VA beneficiaries, which in Fiscal Year 1964 totaled about \$15,500,000, are not affected. Personal assistance to veterans and their families remains unchanged, since a VA Office will continue in Manchester for this specific purpose. This is likewise true at White River Junction, Vermont. In fact, veterans will not be required to go to Boston

for service or care they have been accustomed to receiving in Manchester.

The merger should cause only one basic change in the pattern of service to veterans — those who normally transact veterans affairs matters by mail will now address their communications to Boston. But this should not work to their disadvantage, as the replies they receive will be equally prompt, courteous and efficient.

I would like to comment briefly on the statement in your presentation that, "It has been the inevitable result of such a cut back and centralization that subsequently the area offices are phased out completely." Since World War II, the Veterans Administration has merged four regional offices — Miami, Florida; Oklahoma City, Oklahoma; San Diego, California; and Dallas, Texas. The first three took place in 1955; the last, in 1963. VA Offices continue to exist today in each of these four cities, adequately staffed to meet veterans' assistance requests. On the same basis, we intend to continue to provide personal assistance as needed in Manchester and in White River Junction.

I can understand that veterans and all associated with veterans activities in New Hampshire prefer to have these matters administered within the State. However, the Veterans Administration, like other Federal agencies, has an obligation to all taxpayers, including the veterans themselves, not only to administer laws efficiently, to simplify procedures, and to streamline operations, but to effect economies when possible without adversely affecting service to veterans. In view of factors given above and particularly, recognizing the rapid communications systems now in use, we feel the proposed adjustments are now indicated.

In closing, I would again like to give assurance that the Veterans Administration intends to continue high quality service to the veterans of New Hampshire.

Sincerely,

W. J. DRIVER, *Administrator*

House Message

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Senate:

HB 16, requiring a phenylketonuria test of new born children.

HB 44, relative to political expenditures by special committees.

Read and Referred

HB 16, requiring a phenylketonuria test of new born children. Referred to the Committee on Public Health, Welfare & State Institutions.

HB 44, relative to political expenditures by special committees. Referred to Executive Depts., Municipal & County Government.

Introduction, First & Second Reading of Senate Bills

SB 51, relating to conveyances and other transfers of buildings on land of another. (Hunter) Referred to Judiciary.

SB 52, relative to the City Manager of the City of Berlin. (Lamontagne) Referred to Executive Depts., Municipal & County Government.

Committee Reports

Senator Martin, for the Committee on Judiciary: SB 12, relative to women's names being placed on jury lists and exemption of certain persons. Ought to pass.

Senator Johnson: "Mr. President, the purpose of this bill is to bring the statutes of New Hampshire into conformity with the laws of most of our states in this country whereby women are allowed to serve as jurors on cases without making special application to do so. Under the present law, in order for a woman to serve, she must ask to serve. As a consequence, we have very few women who ask and therefore, few are called. As a result, if they are called to jury duty, they are oftentimes challenged because sometimes exception is taken to having ladies on the jury. It seems to me that the time has come to recognize the qualifications of the fair sex as in all matters. Hence, I have introduced this bill."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SB 21, relating to appeals from district or municipal courts. Ought to pass.

Senator Johnson: "Mr. President, this bill simply deals with a section of the law which relates to our district and municipal courts. As you will recall in the 1963 session, we set up district courts. The complexities of putting through this measure were many and varied and we tried throughout the various sections to set up the provisions which deal with both district and municipal court would remain. In one section, 599, we somehow forgot. All this bill does is to add the word district court where it now says municipal court. This makes it clear that this section makes it a possibility. This is really a house-keeping bill."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SB 37, relating to the time within which actions for injury must be brought against persons who performed or furnished the design, planning, supervision, or construction of an improvement on real property. Ought to pass.

Senator Rinden: "Mr. President, this bill simply limits to 6 years from the date of the performance of the construction work, etc. the right to bring suit for injuries resulting from any damage resulting from an imperfect design or improper construction. This bill was supported by the architectural industry, engineers and construction contractors here in New Hampshire. Their thought was that they should not be sued thirty or forty years after the building had been put up and particularly where the damage may result from improper maintenance."

Senator Martel inquired: "Is there any present limitation in the statutes?"

Senator Rinden replied in the negative.

Senator Hunter inquired: "I remember a case recently in Boston where, within two or three years, a cement poured building fell apart in 9 or 10 years. We are taxed on 30 year life length and I wonder if it is not fair to have it passed on a longer time. It does not seem to balance out. Was anything of this nature considered? It would seem to me that 6 years is not

long enough. Of course, the contractors would like to get out from under. Were they talked with individually?"

Senator Rinden: "I think the committee considered the bill thoughtfully and reflected on the points which you have raised. I am not saying that your suggestions are not valid. I will say that there was no opposition to the bill at the hearing. I think there are two sides to the matter and the committee definitely felt that the bill was all right, but that does not mean that your point is not well taken."

Senator Martel: "I am inclined to go along with the remarks of Senator Hunter. I am well aware of construction methods as I have been connected with construction for many years: twenty-four years with organized labor. I must apologize for not having been present at the executive session. I see that Senator Buchanan is the sponsor of the bill. As he is not present, I wonder if it would be well to defer taking action on this until he is present. Under these circumstances, I would move, or request someone else to make the motion."

Senator Riley: "I was at the hearing and I saw no opposition to the bill. However, I did question the third line — arising out of any defect in design. My questions were answered at the hearing, but not entirely satisfactory. I would hope that the other members of the Senate would consider this and give it some thought."

Senator English: "It was my understanding that the Senator from the 12th District introduced this bill by request. Perhaps it would be courteous to await his return before considering the matter further."

On motion of Senator Johnson, seconded by Senator Blaisdell, the Senate voted to make further consideration of this Committee Report, Ought to pass, a Special Order of Business for next Wednesday morning at 11:01.

Committee Reports (continued)

Senator Martin, for the Committee on Judiciary: SB 39, relative to the salary of special justices of the Hanover District Court. Ought to pass.

Senator Johnson: "Mr. President, this bill is a bill that relates only to the district court in the town of Hanover and is

designed to give flexibility to the town to set the salary of the Special Justice Herbert Hill, a well known Democrat and a good friend of mine. This is a local option bill and has been requested by the Selectmen of the town."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SB 42, to increase the time within which an execution may be issued after judgment. Ought to pass.

Senator Johnson: "Mr. President, this is a housekeeping bill in a sense. It involves a rather technical point of law. In the 1963 session we passed the statute which said, in effect, that where you had an attachment on real estate, you could take judgment rather than have the case continue for judgment, which the plaintiff was entitled to receive and that the judgment would be good for 6 years. The reason was that when you take judgment, you then have a lien on the property which is of a higher priority than the federal tax law. You start a lawsuit and then you do not take judgment. If they then file bankruptcy, the federal government tax lien would defeat the lien of the individual. We then passed the statute — so what we voted on in 1963 was also to change the section as to the execution. You have 6 years to move on the attachment. Another change as it refers to the execution. Under 527:6, this permits the attorney to move within 2 years. This is fair both to the attorney, his client and in many cases, the person whose property is having to be sold in execution. This is an advantage. This is really only a housekeeping bill to bring the execution stay to conform with the statute which we passed in 1963 which relates to judgment and the time in which the judgment is in effect."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SB 45, relative to time for filing for city and town elections. Ought to pass.

Senator Johnson: "Mr. President, this bill relates to the time of filing for your town jobs. What it simply does is to set a time period in which a person may file for a town position. Under the present statutes, after March 10th, after our March Town meeting, it is impossible for a person to walk in and file

for the next election. It seems that there should be a filing date as there is for most other jobs. This bill sets up a time limit for filing date. This bill sets up a time limit for filing. In the case of Town Clerks, this says that the time for filing has been changed from 6 p.m. to 5 p.m."

Senator English inquired: "Does this apply to schools?"

Senator Johnson: "No, only to RSA 59."

Senator Hunter: "The great problem in changing the towns' way of doing business is that no notification is received. When does this bill become effective and will there be proper notice ahead of time, etc."

Senator Johnson: "This takes effect in 60 days. The information will be given out by the Town Clerks as they requested the bill. I will make sure that this information will be sent out. This does not change the old date, only by 1 hour."

Senator Hunter: "There is nothing specifically in the bill that gives notice to the towns?"

Senator Johnson: "No more than in any other bills that we pass that affect the towns, etc. I believe that Dave Mann of the Municipal Association will see to it that this information is distributed. I cannot see where any person will be injured."

Senator Hunter: "The problem is that we change selectmen and after the Town meeting, new people come in green and they know nothing about it. It would seem to me that there should be some way in which this information should be distributed. I will take your word that something will be done."

Senator Johnson: "I think your point is well taken. Many, many bills are passed relative to towns, etc. I am sure that someone will take the responsibility to keep the proper people advised."

Senator Waterhouse inquired: "What is the length of this filing period? When does it start and end?"

Senator Johnson: "The date for filing will be 14 days prior to the date of closing. The closing date will be 5 p.m. of the second Monday next preceding the day of election. You will go back 14 days to find the period in which to file."

Senator Hunter: "I wonder if a way out of this thing would be to ask the Secretary of State to put in his Political Calendar this fact, in order to make it more available to town officers."

Senator Johnson: "That is a very good suggestion."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works and Transportation: HB 55, to regulate the length of tractor-trailers on state highways. Ought to pass.

Senator Lamontagne: "Mr. President, in 1963, a change was made when we included the 10 wheel tractor which some people call horses. When we put this extra set of wheels on these trailers, it created a greater length on trucks. It used to be 50 feet. In 1963, we said that in order that they might wear them out — we would allow them to have a 5 foot extension, to make it 55 feet. Since that time, the New Hampshire Association of State Highway Officials have recommended throughout the nation that the 55 feet should be enacted into law. Seeing that other states have gone into the length of 55 feet, it was decided at this time that this 55 feet should be allowed for New Hampshire. It was approved by Mr. Gould, Fred Auer of the Highway and Andy Staby, and also representatives of the Tri-State Truckers association."

Senator English inquired "What other states?"

Senator Lamontagne: "Massachusetts, Vermont and Maine and many other states in the south."

Senator English: "Mr. President, I take an interest in this as it affects all the people. The large heavy trucks do damage to roads, particularly the secondary roads. While I am not speaking against this bill, I do feel that we should keep our eye on this trucking situation. I believe that in some cases — we have been one of the states that went ahead. There is a continuing attempt to extend this. I have seen the damage done by these huge trucks. You and I, as taxpayers, pay for this damage. I am not opposing this bill, but I do feel that we should keep our eye on this situation."

Senator Lamontagne: "This is one of the reasons — with this extra length — to more evenly distribute the weight — and with more rubber — this is going to be helpful to the highways. The longer the equipment is — the weight is more divided.

We must have this type of legislation. The railroads are going out of business and certainly the industry that we have in this state — must be by trucks. That is one of the reasons. Most important is this extra length — it is a matter of public safety. The brakes are better. With short tractors — they used to swap their tractors — and take the longer one off before coming into New Hampshire. This 55 feet length gives extra brakeage and is a lot better for the highways.”

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 66, to authorize the Maine-New Hampshire Bridge Authority to install a moveable draw span on the lower deck level at pier 21 of the Piscataqua River Bridge. Ought to pass.

Senator Gove: “Mr. President, this bill authorizes the Maine-New Hampshire Bridge authority to spend \$400,000 to install a road over the river at Portsmouth that now exists. If a very small boat goes up the river now, they have to lift up both the highway and the railroad span. This would allow the authority to open a smaller span. The money is available by this authority through tolls collected in the past. There was no opposition. We felt that this would be a good bill. There are no state funds involved.”

Senator Foley: “Mr. President, as the Senator from this District, I would like to urge the passage of this bill.”

Senator Hunter: “Mr. President, I can add a little information. The present bridge is a toll bridge and every time the bridge has to be raised even for a small boat. Underneath that is the railroad bridge, which has to be raised also. This is the thing that takes 19 feet of elevation just to get an average boat up the river. We will take a piece of railroad track and move it back. About 80% of the boats will be able to get through without raising this span which creates a traffic tieup for two or three miles, especially in the summer months. This is a toll bridge. The money is available to make this adjustment with no cost to the state.”

The bill was ordered to a third reading.

Communication

At the request of Senator Martel, the following Communication was read:

PRIME MINISTER — Premier Ministre

Ottawa, February 25, 1965.

Dear Senator Martel:

I have read with much interest and pleasure the resolution adopted by the State of New Hampshire with respect to the adoption of a new Canadian flag, a copy of which you were kind enough to present to my colleague, Senator Connolly, for transmission to me.

I would appreciate if you would extend to the signatories of the resolution and your Senate colleagues of New Hampshire, on behalf of the Canadian Government and myself, personally, our sincere appreciation for this splendid gesture of good will and friendship towards Canada. May I add that I was particularly happy to see the name of an old friend, Bob English, on the resolution.

With warm regards and best wishes.

Yours sincerely,
/s/ L. B. Pearson

The Honourable Louis I. Martel
Democratic Leader in the Senate
State of New Hampshire
Concord, N. H., U.S.A.

Announcement by the Chair

"The Chair wishes to state that he will not be able to be in Concord tomorrow and therefore must appoint a President of the Senate for one day and will appoint Senator English from District No. 11."

On motion of Senator Martel, the rules were so far suspended as to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session**Third Readings & Final Passage of Bills**

SB 12, relative to women's names being placed on jury lists and exemption of certain persons.

SB 21, relating to appeals from district or municipal courts.

SB 39, relative to the salary of special justices of the Hanover District Court.

SB 42, to increase the time within which an execution may be issued after judgment.

SB 45, relative to time for filing for city and town elections.

HB 55, to regulate the length of tractor-trailers on state highways.

HB 66, to authorize the Maine-New Hampshire Bridge Authority to install a moveable draw span on the lower deck level at pier 21 of the Piscataqua River Bridge.

On motion of Senator Paquette, the Senate adjourned at 12:10 p.m.

THURSDAY, March 4, 1965

The Senate met according to adjournment.

Senator English presiding.

A quorum was present.

Introduction of Guests

As the guests of the entire Senate and introduced by Senator Green, Mrs. Cynthia H. Kirby, and her daughter Jill Diane, one month old.

As the guests of Senator Foley, her two sons, J. J. and Barry.

As the guests of Senator Riley, Mr. Alfred J. Sciarappa and daughter Ann of Bedford.

House Message

The House of Representatives has passed the following entitled bills:

HB 26, relative to exceptions from fees under the aeronautics law.

HB 27, relative to disposition of revenue from aircraft operating fees.

HB 61, relative to resignation of members of the general court.

HB 109, relating to partial payments on account of tax redemption.

HB 110, relating to distribution and filing of property tax inventories.

HB 111, relating to the contestability of a tax collector's deed.

HB 112, relating to terms of office of tax collector.

HB 114, relating to applications for tax abatements.

HB 117, relative to supplies for discharged prisoners.

HB 120, relating to life insurance limits in loans for educational purposes.

HB 123, relative to financing sewerage systems, sewage treatment works, and waste treatment facilities.

HB 199, relative to state aid to municipalities for water pollution control.

HB 218, authorizing state banking institutions to act as fiscal agents of the United States.

Read and Referred

HB 26, relative to exceptions from fees under the aeronautics law. Referred to Executive Depts., Municipal & County Government.

HB 27, relative to disposition of revenue from aircraft operating fees. Referred to Executive Depts., Municipal & County Government.

HB 61, relative to resignation of members of the general court. Referred to Executive Depts., Municipal & County Government.

HB 109, relating to partial payments on account of tax redemption. Referred to Judiciary.

HB 110, relating to distribution and filing of property tax inventories. Referred to Judiciary.

HB 111, relating to the contestability of a tax collector's deed. Referred to Judiciary.

HB 112, relating to terms of office of tax collector. Referred to Judiciary.

HB 114, relating to applications for tax abatements. Referred to Judiciary.

HB 117, relative to supplies for discharged prisoners. Referred to Executive Depts., Municipal & County Government.

HB 120, relating to life insurance limits in loans for educational purposes. Referred to Banks, Insurance & Claims.

HB 123, relative to financing sewerage systems, sewage treatment works, and waste treatment facilities. Referred to Executive Depts., Municipal & County Government.

HB 199, relative to state aid to municipalities for water pollution control. Referred to Resources, Recreation & Development.

HB 218, authorizing state banking institutions to act as fiscal agents of the United States. Referred to Banks, Insurance & Claims.

Committee Report

Senator Martin, for the Committee on Engrossed Bills: HB 66, to authorize the Maine-New Hampshire Interstate Bridge Authority to install a moveable draw span on the lower deck level at pier 21 of the Piscataqua River Bridge. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1 Maine-New Hampshire Bridge Authority. Amend RSA 258 by inserting after section 16 the following new section: 258:17

Further amend said section by striking out the last four lines and inserting in place thereof the following:

of section 10. The Authority may not spend more than four hundred thousand dollars under the provisions of this section.

On motion of Senator Gove, the Senate voted to adopt the amendment offered by the Committee on Engrossed Bills to the above entitled bill.

Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 195, An Act to authorize the Ashland School Board to decrease the school board from six to five members.

SB 15, An Act relative to salaries of legislative attaches and service assistants.

HB 55, An Act to regulate the length of tractor-trailers on state highways.

Eda C. Martin
For the Committee

The Report was accepted.

Announcement by the Chair

The Chair declared a brief Recess, subject to the call of the Chair, to await a Message from the House.

(Recess)

The Senate re-assembled.

A quorum was present.

House Message

Mr. President: The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Senate:

HB 259, relating to the issue of sewer extension bonds by the City of Portsmouth.

HB 286, to legalize the proceedings of a special meeting of the Rollinsford School District.

Read and Referred

HB 259, relating to the issue of sewer extension bonds by the City of Portsmouth. Referred to Resources, Recreation & Development.

Senator Foley: "Mr. President, this is a technicality. Legislation was passed in 1964 and requires the signatures of the Governor and Council. Rather than go back to obtain the signatures of the former Council, it was felt it could be handled this way by signature of the Governor and the present Council. This bill passed the House under suspension."

On motion of Senator Foley, the rules of the Senate were suspended, referral to committee and holding of public hearing dispensed with, and the bill was ordered to a third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 259, relating to the issue of sewer extension bonds by the City of Portsmouth.

Read and Referred (continued)

HB 286, to legalize the proceedings of a special meeting of the Rollinsford School District. Referred to Executive Depts., Municipal & County Government.

Senator Bergeron: "Mr. President, this is an act enabling the school District to obtain their bonds. The meeting had not been legalized and this must be done first. This bill passed the House under suspension."

On motion of Senator Bergeron, the rules were suspended, referral to committee and holding of public hearing dispensed with, and the bill was ordered to a third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 286, to legalize the proceedings of a special meeting of the Rollinsford School District.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

On motion of Senator Provost, the Senate adjourned at 12:20 p.m., to meet next Wednesday morning, March 10th, at 11 o'clock.

WEDNESDAY, March 10, 1965

The Senate met according to adjournment.

A quorum was present.

House Message

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

HB 86, appropriating funds for the new nursery building at Laconia State School.

HB 158, relative to the police force of the city of Keene.

HB 215, to amend the law establishing a cooperative school district in the Newfound area.

HJR 12, providing supplemental appropriation for school building aid.

Read and Referred

HB 86, appropriating funds for the new nursery building at Laconia State School. Referred to the Committee on Finance.

HB 158, relative to the police force of the city of Keene. Referred to Executive Depts., Municipal & County Government.

On motion of Senator Blaisdell, the rules were suspended, referral to committee and holding of public hearing dispensed with, and the bill was ordered to a third reading and final passage.

Senator Blaisdell: "Mr. President, in explanation, we have held our public hearing, attended by the Keene delegation.

This bill simply increases from 20 to 25 members, which we need. There was no opposition and a lot of people there felt it was a good bill."

Read and Referred (Continued)

HB 215, to amend the law establishing a cooperative school district in the Newfound area. Referred to Education.

HJR 12, providing supplemental appropriation for school building aid. Referred to Finance.

Introduction, First & Second Reading of Senate Bill

SB 53, relating to construction and interpretation of wills. (Rinden) Referred to Judiciary.

Committee Reports

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: SB 40, relative to the New Hampshire Unitarian Association. Ought to pass.

Senator Buchanan: "Mr. President, this is a bill introduced by Senator Gove on behalf of the New Hampshire Unitarian Association. There was no opposition to the bill at the hearing. Among other things, the bill will increase the amount of authorized endowments and trust holdings which this organization may hold. It is an enabling act and brings their organization up-to-date and in line with present day requirements."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: SB 44, relating to professional engineering. Ought to pass.

Senator Buchanan: "Mr. President, this bill is in the nature of a housekeeping bill. It performs two functions. First, members of the Board of Professional Engineers in this state serve currently without compensation. This bill would give them \$25 per diem allowance. They meet about once a month. This does not involve a considerable amount of money and would require no cost through the State Treasurer as the organization is supported by fees. It would also change the fiscal year of the organization to coincide with fiscal years of similar societies in neighboring states and would bring their fee scale in line with

other states. There was no opposition and there were several distinguished engineers of the state appearing in favor of the bill."

Senator Martel inquired: "What is the present per diem?"

Senator Buchanan: "There is none."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 53, to repeal an appropriation to the Granite State Dairymen's Association. Ought to pass.

Senator Buchanan: "Mr. President, this is another house-keeping bill. Apparently, in the past, there has been a state appropriation to various agricultural and farm organizations which have been eliminated over the years. This would do the same to the Dairymen's Association. There was no opposition and one or two appeared for it."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 54, to remove the limitation on assets of the New Hampshire Humane Society. Ought to pass.

Senator Buchanan: "Mr. President, this again is a bill to modernize the set-up of this organization. At the present, there is a statutory limitation as to what they may possess. This is a limitation which is found in many of these organizations. This bill corrects this situation. I have consulted with the Senate Counsel to see if bills of this nature can be handled without coming to the Legislature. In the past, when these limitations were changed, it had to be done by the Legislature. However, what was a reasonable limitation in 1890 is hardly enough to get by on today. This bill will allow them to accept bequests, etc. — it is simply to modernize and bring up-to-date the limitations which have been placed on these charitable organizations. It refers to 501 C 3, charitable organizations — legalized by the Internal Revenue — and may be deducted on income tax."

Senator English: "Mr. President, I am pleased indeed that the overall figure was discussed. I don't think I am far wrong in saying that six or eight of this type of bill comes in each session.

The thought went through my mind that the Secretary of State might on request, in some way, be authorized to take care of bills of this nature. This does take a lot of time on the part of the Legislators, etc. Is the amount of limitation about double?"

Senator Buchanan: "I would not say any amount. Currently, if such an organization wishes to be unlimited, they do not have to go through the Legislature. There is no such limitation as to assets which they may possess. As I said, I have asked the Senate Counsel this morning if some general legislation might be passed so that this might be taken care of by the Secretary of State. This would save time."

Senator English: "I can only applaud what is going on as it is highly desirable to eliminate this type of legislation. Bills of this type come in session after session."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 62, to provide for the appointment of a chairman of a committee of the general court while in recess. Ought to pass.

Senator Buchanan: "Mr. President, the title of the bill explains just exactly what the intent of the bill is. If a Chairman of a Committee dies or becomes incapacitated subsequent to the adjournment of the Legislature, the presiding officers are enabled to appoint a Chairman. This simply gives the authority to do so. Now, in the case of a special session, there would be no Committee Chairman. This is an enabling act."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 93, to amend the charter of St. Mary's-in-the-Mountains. Ought to pass.

Senator Buchanan: "Mr. President, this again is a bill to modernize the charter of this girls' school in Littleton. It will permit them to increase the size of the Board of Trustees and also to hold larger endowments and trust funds in its behalf."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 101, legalizing the proceedings at the 1963 annual town meeting in the town of North Hampton. Ought to pass.

Senator Buchanan: "Mr. President, this again is a house-keeping bill. Relatively unimportant — not printed in the House. The title explains the bill. There were some minor errors in the posting of the warrant. This bill simply legalizes the proceedings. There was no opposition and the Representative appeared and spoke in favor."

The bill was ordered to a third reading.

Resolution

Senator Gardner offered the following Resolution which was unanimously adopted:

Whereas, on March 3, 1965, through the quick thinking and courageous actions of Barbara Michaud of Gilford, New Hampshire, the life of Anthony Glidden of Lakeport was saved from drowning in the Winnepesaukee River above the Lakeport Dam; and

Whereas, Barbara Michaud totally disregarded safety for her own life in responding to the cries of the boy for assistance, plunged into the river, brought him safely to shore, and applied artificial respiration; now, therefore, be it

Resolved, by the Honorable Senate, That Barbara Michaud of Gilford, New Hampshire, be commended for her prompt and brave action; and be it further

Resolved, That the Clerk of the Senate be instructed to forward a copy of this Resolution to Barbara Michaud.

Resolution

Senator Foley offered the following Resolution which was unanimously adopted:

Whereas, The Portsmouth High School basketball team, with the advice and direction of their coach, Robert "Woody" Stone, enjoyed a very successful season; and

Whereas, Through their efforts they won the Class I championship of the State, now, therefore be it

Resolved, That the team and its coach be congratulated for their splendid showing in competition; and be it further

Resolved, That the Clerk of the Senate be instructed to forward a copy of these Resolutions to the members and their coach.

Introduction of Guest

As the guest of Senator Buchanan, Mr. William Dwight of Holyoke, Mass., Publisher of the Concord Monitor and also a Director of the Phoenix Mutual Life Insurance Company of Hartford, Conn.

Special Order of Business at 11:01

Senator Johnson called for the Special Order of Business:

Further consideration of committee report, Ought to pass on:

SB 37, relating to the time within which actions for injury must be brought against persons who performed or furnished the design, planning, supervision, or construction of an improvement on real property.

Senator Buchanan: "Mr. President, this bill was introduced by request and in talking with people who asked me to sponsor it, I was convinced that it was a good bill. The bill will clarify some of the situations which exist and have existed, and will allow architects and other artisans to breathe easily after a lapse of six years, rather than to be subject to the possibility if a building falls down many, many years later, or other building defects occur, they will not be liable for faulty workmanship. I have often wondered what would happen to the builders of the Tower of Pisa — these many, many years. I believe that many of the questions that came to the minds of my colleagues last week have been answered. It is my understanding that Senator Johnson wishes to speak in further behalf of this bill."

Senator Johnson: "Mr. President, just a few words on this bill. First, in any case, they would like to have some date after which action cannot be brought. The purpose of any such statutory limitation is simply to say that action cannot be brought. After a period of six years, it is very difficult to find witnesses who can testify as to what happened at the time the building was constructed. Say, after 20 years, it would be hard to find even the plan of the building at the time at which it was actually put up. It is hard to find out what modification,

changes, etc. were made. Most of all, it is a matter of the witnesses who, after a long period of time, cannot be found. It was felt that it was a good thing to set this at six years. The problem here for the engineers, architects and contractors — if they could be sued after 20 years — nobody can be found. Actually, if you do have a building that falls after 20 years, it is due because of some negligence or defect in maintenance. It would seem to me that this is a fair bill as a protection to the public as well as to the contractors.”

Senator Hunter: “As I perhaps was the culprit who opened this discussion the other day — first, I would say I was concerned because the person who was responsible for the bill was not present; and secondly, because of my experience in cases where great losses have occurred because of the matter not having been looked into. I did not take a stand against the bill, but I did think it would be well for everybody to know the contents of the bill and what is behind it. I would like to liquidate this position on the bill — the gentleman who could explain the bill was not here. I appreciate very much the support of the Senator from the 17th District — and I am sure we all felt that there might be some reason for further consideration of this bill.”

Senator Martel: “I am the other culprit in the picture. I have had some of my constituents call me over the weekend and explain this bill. I am very happy to side with the Senators from the 12th, 15th and 23rd Districts. I am willing to go along with the recommendation of the committee.”

The bill was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 259, An Act relating to the issue of sewer extension bonds by the city of Portsmouth.

HB 286, An Act to legalize the proceedings of a special meeting of the Rollinsford School District.

Eda C. Martin
For the Committee

The report was accepted.

On motion of Senator Martel, the rules were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 37, relating to the time within which actions for injury must be brought against persons who performed or furnished the design, planning, supervision, or construction of an improvement on real property.

SB 40, relative to the New Hampshire Unitarian Association.

SB 44, relating to professional engineering.

HB 53, to repeal an appropriation to the Granite State Dairymen's Association.

HB 54, to remove the limitation on assets of the New Hampshire Humane Society.

HB 62, to provide for the appointment of a chairman of a committee of the general court while in recess.

HB 93, to amend the charter of St. Mary's-in-the-Mountains.

HB 101, legalizing the proceedings at the 1963 annual town meeting in the town of North Hampton.

HB 158, relative to the police force of the city of Keene.

On motion of Senator Johnson, the Senate adjourned at 12:07 p.m.

THURSDAY, March 11, 1965

The Senate met according to adjournment.

A quorum was present.

Announcement by the Chair

"It gives me great pleasure to announce that the Senator from the 21st District, Mrs. Molly M. O'Gara of Dover, is now with us. It is a privilege to have you with us, Senator."

Senator O'Gara was welcomed to the Senate by a round of applause.

Introduction of Guests

As the guest of Senator English, Mr. Albert Thornton of Antrim.

As the guests of Senator Martin, Mrs. Clarence Allard and Mrs. William Houle, both registered nurses, from Littleton.

As the guest of Senator Mitchell, Mr. Harry Cheney of Campton.

As the guest of Senator Bergeron, Jack Sharkey, the former heavyweight champion of the world. Also, Mayor Royal Edgerly of Rochester, and Mr. Chick, also of Rochester.

As the guests of Senator Buchanan, the only undefeated basketball team in the state of New Hampshire during the past basketball season, the basketball team from Hollis with their coach.

On motion of Senator Buchanan, the following Resolution was unanimously adopted.

Resolution

Whereas, the basketball team of Hollis High School, known as the Cavaliers, are the Class S champions of the state of New Hampshire, and

Whereas, this basketball team is the only undefeated high school basketball team for the 1964-65 season in the state of New Hampshire, now therefore be it

Resolved that the Senate of the General Court hereby extends to them their highest praise for this achievement and feels honored that they are today the guests of the Senate, and be it further

Resolved that a copy of these resolutions be delivered to the headmaster of Hollis High School in commemoration of this high achievement.

Senator Blaisdell: "Mr. President, as a basketball official, I would like to state that without the fellow that coaches you,

you would not be here and you would not be undefeated. I congratulate your coach — he has done a tremendous job.”

Introduction of Guests (continued)

As the guests of Senator Martel, his wife Aline, and Mrs. Hélène Pichette, the wife of Deputy Sheriff Ovila Pichette of Hillsborough County.

As the guests of Senator Green, two students from the University of New Hampshire, Miss Marcia Feldman and Mr. Cohen.

Announcements by the Chair

The Chair announced that Committee Reports on HB 41, prohibiting the sale of sweepstakes tickets by unauthorized persons, and HB 215, to amend the law establishing a cooperative school district in the Newfound area, had been withdrawn at the request of the Committee Chairmen.

House Message — Bills Read and Referred

HB 140, to amend the charter of Saint-Gaudens Memorial. Referred to Executive Depts., Municipal & County Government.

HB 203, providing for the classification of the surface waters of the Little River and Powwow River watersheds. Referred to Resources, Recreation & Development.

HB 208, to provide for licensing on odd numbered years. Referred to Executive Depts., Municipal & County Government.

The Message further stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 66, to authorize the Maine-New Hampshire Interstate Bridge Authority to install a moveable draw span on the lower deck level at pier 21 of the Piscataqua River Bridge.

The Message further stated that the House of Representatives has voted to concur with the Senate in the passage of the

following entitled bill sent down from the Senate: SB 28, relative to the Union School District in the town of Littleton.

Committee Reports

Senator Paquette, for the Nashua Delegation: HB 205, relative to the salary of the Mayor of Nashua. Ought to pass.

Senator Buchanan: "Mr. President, on behalf of the Nashua Delegation, of which I am sort of a carpetbagger member — this bill simply raises the salary by \$1,000 and becomes effective subsequent to the next election this fall. This was overwhelmingly endorsed by the Nashua Delegation in the House of Representatives and only token opposition at our hearing. This is not a full time job at the present time, but it does consume a lot of time. It is the opinion of this committee that the bill ought to pass."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Resources, Recreation & Development: HB 199, relative to state aid to municipalities for water pollution control. Ought to pass.

Senator Tufts: "Mr. President, this bill changes the time by which the state may reimburse the municipalities for the funds which the town has used in their control of water pollution. At the present time, the state may pay it on or before June 30th and it is always a hardship for the towns to wait to be reimbursed for this money. This would enable the state to pay to the towns this money at the present, rather than wait a great length of time. They may pay it during the year instead of 'on or after the 30th of June' as provided at the present time. There was no opposition and the committee gives firm recommendation that the bill ought to pass. No state funds are involved."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Resources, Recreation & Development: HB 212, providing for the classification of the surface waters of the Nashua River watershed. Ought to pass.

Senator Tufts: "Mr. President, there was no opposition to this bill in the Joint Hearing of the two committees. We received further assurance that the portion of this river which

runs through Massachusetts would be receiving the attention of the Massachusetts communities. The city of Nashua indicated that they were working on the problem, also some homeowners. The Water Pollution Board held a hearing and their information was available. The committee felt the bill ought to pass."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Ways & Means: HB 42, authorizing towns to appropriate funds for aeronautical facilities. Ought to pass.

Senator Tufts: "Mr. President, this bill authorizes towns outside the town that has the airport to vote their town tax money to the support or maintenance of this airport which does not lie within their own boundaries. A bill of this type has been necessary in New Hampshire because of recreational funds which are used in communities that lie outside. This bill merely authorizes the citizens of a town to vote if they wish or not to contribute to the support of another airport which lies within an adjoining town. They may vote it at their town meeting or at a special town meeting. This merely enables them to make their own decision in their own town. The Committee felt that it ought to pass."

Senator English inquired: "I am not sure if the Senator from the 22nd District can answer this or not — the Chairman of the Committee, Senator Waterhouse, was going to look into it. Is there anything in this bill to make it possible for a town to borrow in order to make the expenditure?"

Senator Tufts: "Senator Waterhouse and I did discuss this yesterday and it is my understanding that the citizens would vote in their town on the bond issue and they could borrow."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Ways & Means: HB 150, relating to payment in lieu of taxes on land acquired for municipal water supply purposes. Ought to pass.

Senator Tufts: "Mr. President, this bill refers to water supply purposes which lie outside a town's boundary. For example, the city of Portsmouth. This city took over a water supply system in the town of Madbury. The town that controls the system would pay taxes based on taxes for the past 3 years. As in the case of the Bellamy water area — it was not owned by

Portsmouth, so the Tax Commission cannot put any value on this property because it was not taxed. This would permit the Tax Commission to set the tax on this so that the city of Portsmouth will pay their fair share to the town of Madbury. It was felt that this was only fair and the Committee felt that the bill ought to pass."

The bill was ordered to a third reading.

Senator Lamontogne, for the Committee on Ways & Means: HB 151, relating to the assessments of public utility taxes. Ought to pass.

Senator Tufts: "Mr. President, through the years, the Tax Commission has of course appraised these properties at what it believes full and true value but because the average rate is roughly twice as high, we have had to take into consideration that fact and make an adjustment in the assessed value of the utilities to bring it in line with other properties throughout the state. The purpose of this is to simply give legal authority to something that must be done and has been done through the years."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Engrossed Bills: HB 53, to repeal an appropriation to the Granite State Dairy-men's Association. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Engrossed Bills Amendment to House Bill 53

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Repeal. RSA 441:5 and 6, which relate to the appropriation of five hundred dollars to the Granite State Dairy-men's Association and the accounting thereof, are repealed.

2 Partial Repeal. Amend RSA 426:9 by striking out in line two the words "The Granite State Dairy-men's Association" so that said section as amended shall read as follows:

426:9 Auditing. He shall audit the expenditure of the state money by the New Hampshire Horticultural Society, or any

other similar farm organization receiving state aid, and publish the results of such expenditure.

Further amend the bill by renumbering section 2 to read 3.

On motion of Senator Martin, the Senate voted to adopt the report of the Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following House and Senate Bills:

HB 66, An Act to authorize the Maine-New Hampshire Interstate Bridge Authority to install a moveable draw span on the lower deck level at pier 21 of the Piscataqua River Bridge.

SB 28, An Act relative to the Union School District in the town of Littleton.

Eda C. Martin
For the Committee

The report was accepted.

The Chair recognized Senator Lamontagne: "Mr. President, I would like to make a report of our trip to Augusta — the sub-committee of the Committee on Public Works. First of all, we were very cordially welcomed by the Maine delegation in both the Senate and the House. Also, I would like to report that when we met with the Maine delegation they said that their funds were made available for this high level bridge."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

HB 42, authorizing towns to appropriate funds for aeronautical facilities.

HB 150, relating to payment in lieu of taxes on land acquired for municipal water supply purposes.

HB 151, relating to the assessments of public utility taxes.

HB 199, relative to state aid to municipalities for water pollution control.

HB 205, relative to the salary of the Mayor of Nashua.

HB 212, providing for the classification of the surface waters of the Nashua River watershed.

On motion of Senator Foley, the Senate adjourned at 12:12 p.m.

FRIDAY, March 12, 1965

The Senate met according to adjournment.

A quorum was present.

Announcement by the Chair

The Chair announced that at the present time he would make an announcement relative to Committee assignments:

1. As Chairman of the Committee on Executive Departments, Municipal & County Government, Senator O'Gara from District No. 21, in place of Senator Howard, District No. 7.
2. Replace Senator Tufts, District No. 22, on Public Health, Welfare & State Institutions, with Senator O'Gara, District No. 21.

Introduction, First & Second Reading of Senate Bill

SB 54, relative to hunting with bow and arrow. (Riley)
Referred to Committee on Fisheries & Game.

Committee Reports

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: SJR 2, authorizing the division of welfare to use certain federal funds. Inexpedient to legislate.

Senator Gardner: "In this Resolution there is a request for 47 new positions. There is available \$133,723.30 in the admin-

istration and service account of the public assistance fund to pay costs and expenses of such personnel for the balance of the fiscal year.

"In order to continue to receive the 75%-25% federal matching under the new formula, it is necessary for the state to add workers to reduce caseloads in order to expand services. The federal government has determined that caseloads in the adult program cannot be in excess of 125 per worker and 60 in the children's programs. With the increase in Medical Assistance for the Aged, which the Welfare Department assumed without additional staff, this program is interfering with the ability of New Hampshire to continue to qualify for additional federal funds in administration. The Department must begin to increase staff. The Department has until June 30, 1967 to do this.

"This bill was introduced as an emergency measure. At the public hearing, it was brought out that a similar request had been made to Governor and Council on November 13, 1964.

"Although the Governor and Council had the authority to grant the request, the Director was instructed to introduce a separate bill. If this had been, or is at the present time, an emergency measure, I feel sure the Governor and Council had, and still has, the authority to grant personnel, if needed, to take care of the year ending June 30, 1965.

"Inasmuch as the Finance Committee is conducting hearings on the Department of Health and Welfare budgets at this time, naturally requests for new positions for 1966-67 will be considered and acted upon.

"As this is a budgetary matter and should be treated as such, the committee has recommended this bill inexpedient to legislate."

On a *viva voce* vote, the recommendation of the Committee, Inexpedient to legislate, was adopted.

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: HB 136, to limit recovery of past due expenses at Laconia State School to a period of five years, and to set a statute of limitations on actions for their recovery of six years. Ought to pass.

Senator Gardner: "There is a distinct difference between mental or emotional disturbance and mental retardation. A child with mental or emotional disturbance can be cured and rehabilitated through treatment; however, there is no cure for the mentally retarded.

"Every child in this State is entitled to an equal opportunity to obtain an education. Parents, through real estate, are assessed equitably for the education of children, their neighbor's as well as their own.

"Most parents with exceptional children have exhausted their resources and even incurred debts visiting one specialist after another before obtaining or perhaps being willing to accept the diagnosis, 'mentally retarded.'

"The existing system at Laconia State School is based on ability to pay. The current weekly rate is \$37.00, or roughly \$150.00 a month, or \$1,900.00 a year.

"For example (based on ability to pay) if a parent can pay only part of this amount, the unpaid balance is charged to a so-called suspense account which accrues. Upon release of the child or his death, whichever the case may be, some legally responsible relative under the statute can find himself faced with an obligation of several thousand dollars, depending upon the length of time the resident has been at the school.

"I contend all parents are not being treated equitably. If a child is removed from his home by the court because of delinquency and sent to the Industrial School for rehabilitation, there is *no* charge or assessment made against his parents. However, if a poor child who has no control over his handicap is sent to a rehabilitation center, the parents *are* expected to pay.

"In this bill, recovery is limited to the expense incurred within the last five years of the inmate's residence at the school.

"In an action by the state (against the estate of the person responsible) for the recovery of the expenses of an inmate of Laconia State School who is discharged from the school, or is dead, the action shall be brought within six years after his discharge or after his death.

"A bill similar to this (introduced in the 1963 session) was sent to the Legislative Council for study. There was an exhaus-

tive study by the Fiscal Subcommittee, a public hearing and hours of careful consideration by the full Council. Upon recommendation of the Council, HB 136 was introduced by Rep. Palmer, Chairman of the Fiscal Subcommittee and passed by the House with no opposition.

"There has been great progress in the field of mental health, which will definitely affect mental retardation. With federal funds we hope to see in the future community facilities which will provide residential and day care programs, diagnostic and therapeutic rehabilitation and sheltered workshop services.

"This is a good bill, carefully drawn up, and I sincerely hope you will support the committee report — ought to pass."

The bill was ordered to a third reading.

Engrossed Bills

Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 54, An Act to remove the limitation on assets of the New Hampshire Humane Society.

HB 62, An Act to provide for the appointment of a chairman of a committee of the general court while in recess.

HB 93, An Act to amend the charter of St. Mary's-in-the-Mountains.

HB 101, An Act legalizing the proceedings at the 1963 annual town meeting in the town of North Hampton.

HB 158, An Act relative to the police force of the city of Keene.

Paul E. Provost
For the Committee

The report was accepted.

The Chair declared a 5 minute Recess.

(Recess)

The Senate re-assembled.

The Chair recognized Senator Johnson: "Mr. President, I would like to speak just briefly to a matter which has come up

this morning and which I think the Senate should have the facts known to them. This morning at 8:30, the President of the Senate, myself, and Senator Martel (who could not be there) and other leaders of the House met with the Governor. At that time, the Governor presented to us letters which indicated that serious charges were being made against Commissioner James Barry. The Governor and we discussed this matter. He did not reveal to us what steps he was going to take in response to these charges, but indicated to us that we were free to take whatever steps we felt should be taken in view of these charges being made by persons in Barry's department and in view of the fact that the Governor has seen fit to tell us about these charges. After the meeting, it was decided by the Speaker of the House and the President of the Senate that a Special Committee should be named to look into these charges. It was determined that the Committee should be seven in number, four from the House, and three from the Senate, and that the Majority leaders in both Houses be on the Committee. On next Tuesday, it is my intention that I introduce a Resolution to ask that this Committee be formalized. I have spoken with Commissioner Barry and told him of our intent to proceed with this investigation and told him that the Governor has given us copies of letters which contain these charges. I have told him that during this investigation, he will have a fair and full opportunity to state his case, state his views and facts as he sees them. I will try and answer questions."

Senator Bergeron: "Charges are being made through the Governor's office?"

Senator Johnson: "No, the charges were made by persons within the Department of Commissioner Barry and the Governor has these charges and has been asked to investigate these charges and has asked that we take whatever action we feel should be taken. He has had the charges brought to our attention. We feel that it is appropriate that we should investigate. To be very clear, we have talked with the Governor since our meeting and he is in full agreement that this Committee is the proper thing for us to be doing and that we should go ahead with this investigation by the Senate and House."

Senator Rinden: "We are giving some sanction to the charges, however slight. I think we should have some idea and some information before we act here."

Senator Johnson: "Certainly, before the Resolution is introduced, these facts will be known to you."

Senator Lamontagne: "I am disturbed over this report that we have received right now. Through all the years that I have known Mr. Barry—he has been very helpful to my area. I am kind of surprised. Do you feel that any of these charges would be possibly true?"

Senator Johnson: "I have no idea, obviously, at this point. We were given a letter which contained a number of charges. Before releasing the facts at this time, I wish to be absolutely sure that we are able to give this letter out. This is a copy which we have received, but I have not asked him if I may release the contents. The statement that I have made this morning, I know that I have his concurrence. But at the conference this morning, the Governor stated that he felt obligated to release to the press the fact that the charges had been made. I do not know at this point what he has released to the press and the details of the charges. He stated that he had also in his statement to the press indicated that he had spoken to the leaders in the House and Senate about this problem and he said to us that he felt to do so was doing what is proper. We were given a letter which contained charges. At this point, we were asked, in effect, to make a decision as to what to do. It seems to me if the Governor feels that he should reveal these charges to us, then obviously, there must be some obligation to look into these charges. But the truth, or falsity, is something about which I have no information and as a lawyer, until we know that there is truth or falsity, these charges must be investigated."

Senator Lamontagne: "I feel that in due justice to Commissioner Barry, I certainly would go along with the request that Senator Johnson has made. I am sure that this Committee as spoken about by Senator Johnson will have the full authority to inquire of these people who have made these charges. I think it would be a good thing to air this thing out. Until the man has been found guilty — he is innocent. I have always found Commissioner Barry to be helpful to the people that I represent in the northern part of New Hampshire.

Senator Martel: "Mr. President, considering the situation and not to prejudice, I think it would be well not to prolong this discussion any longer."

Senator Waterhouse: "Can this body here be assured that we will learn the identity of the persons bringing these charges?"

Senator Johnson: "I cannot speak for the Committee. I would think so. I will say, for myself, that any investigation that is conducted would be conducted in accordance with the basic principles of justice which are used in this country and that is the fact that we have the right to face the accuser. I cannot speak for the Committee, but as for myself, I would feel that all the basic principles upon which this country is founded will be fulfilled."

Senator Buchanan: "Can you answer this question — Are these charges of a criminal nature or malfeasance?"

Senator Johnson: "Malfeasance. Not criminal."

Senator Martel: "Just one more word. To preface some of the remarks of Senators Lamontagne and Johnson, I feel that we should always remember one thing, as Americans, we are always presumed innocent until proven guilty."

Senator Saggiotes inquired: "Have any of the charges that are being made today — have any of them been made before?"

Senator Johnson: "I am just not that familiar with the charges that have been made in the past. I would say yes—some are specific and some are broad. But I do feel that I cannot answer your questions—but I believe there is overlapping."

Senator Bergeron: "This bothers me greatly. It sounds serious. We are not aware of the facts. It bothers me that we must put this off until Tuesday, even for good reason. I am thinking of the adverse publicity as to what could happen in the state of New Hampshire during these three or four days."

Senator Johnson: "This morning, the Governor said that he was going to release the facts to the press and that he had talked this over with us. He did not say to what length he was going to reveal. I am only asking the courtesy of the Senate in this matter on what is being contemplated. I think frankly that we would be better off to wait until Tuesday and prepare a Resolution in a way that would be quietly effective and be prepared at that time to have the Senate have the full disclosure as to what was to be investigated. It seems to me that the factors mentioned here—a person is innocent until proven guilty."

Senator Bergeron inquired of Senator Martel: "Since we will be gone in twenty-four different directions—can you get the Executive's permission about this letter at the present time?"

Senator Martel: "As mentioned, I was absent at the meeting. I came in here at 11:05. I wanted to know what the purpose of the meeting was. I went and asked to see Mr. Power, and was told he was busy. I was told that the Senate would be in 10 minute Recess. I left the message. We had a 5 minute Recess and the presiding officer told me what had happened. I have no authority from the Governor. As stated earlier, I feel that it is better not to prolong the discussion of this matter at the present time."

Senator English: "May I request a 5 minute Recess in order to secure what public information has been made available?"

The request was granted by the Chair.

(Recess)

The Senate re-assembled.

Senator Johnson: "Mr. President, once again, I wish to state that there is no thought of action being taken this morning. But simply to keep the Senate informed as to developments so that they will not find out the information by reading the paper. My reluctance to have this material put forth is because of a covering letter from Mr. Pariseau. I did not ask the Governor whether or not I could release this letter that has the information—I did not ask permission to do so. I know now that it was given to the press this morning along with a press release. I would ask the Clerk to read both the press release and also the letter."

Senator Gardner inquired: "What was the date of the letter sent to the Governor?"

Senator Johnson: "February 25, 1965—which he probably received the 26th."

At the request of the Chair, the Clerk read the three communications.

Senator Waterhouse: "Is it my understanding that this investigating committee will be appointed today?"

Senator Johnson: "No. On Tuesday and at that time, a Resolution will be introduced to permit the appointment of this committee."

Senator Waterhouse: "How long will this investigation take?"

Senator Johnson: "I cannot say. As I have said before when we debated the matter of the pay raise for psychiatrists, I think we all agreed that the situation at the State Hospital was unfortunate and I urged at that time that we pass the pay raise bill so that this department would have the money — I understand that this is being done. This leaves two questions; should the structure stay as it is, or does the fault lie with the personnel? It seems to me that where the Governor has stated in his release that he has asked for an investigation, there is no alternative. I believe that this letter will help us to answer these questions: Is it the structure of our government or is it the personnel problem. This is a serious matter and time is short."

Senator Waterhouse: "Is it possible that after this investigation and then by taking the reports from those that may be responsible as to the outcome, that this body might resolve itself into a Committee of the Whole and have these questions to that this body might have an opportunity to talk about this matter?"

The Chair: "That is true. This may be done to consider any action at any time."

Senator Johnson: "The statement that was made this morning by the leadership of the House and the Senate, that this is contemplated and next Tuesday whatever is decided will be done."

Senator Gardner: "I wonder why some charges for a committee of this sort were not made by the Governor. Also, do I understand that it is the Department of Welfare that is making these charges and not any other department?"

Senator Johnson: "As to why this matter was brought to our attention on the 12th day of March — you will have to ask the Governor. I have no idea. However, this is the first that I have heard anything about this matter. Also, as the letter states, it is the welfare department."

Senator Bergeron: "I was greatly concerned at the beginning, but now after finding out that it has been 14 days since the letter has been received, I think we can wait until Tuesday."

Senator Rinden: "This is a serious matter. I would ask the Senator from the 5th District if the Governor proposes to do anything himself or is he going to dump this whole thing into the lap of the Legislature?"

Senator Johnson: "I have no idea what the Governor intends to do, but I would think that as the head of the executive department of the government, I would assume that he would. But when the Governor comes to the legislative leaders and says that he is going to release information to the press, I think we have the responsibility to stand up and move."

Senator Rinden: "I think we should find out from the Governor what he intends to do before we jump into this and we have the weekend in which to do it."

Senator Green: "Why are these charges being made now? Why weren't they brought out when we had the public hearing on the mental health bill?"

Senator Johnson: "I think these questions are properly directed to the Governor or to his chief spokesman in the Senate."

Senator Lamontagne: "I am very pleased that the chief executive has asked us to do something about this investigation. This will be a good opportunity to find things out. As far as Mr. Pariseau is concerned, he has made mistakes before, and he can make mistakes again."

Senator Martel: "Mr. President, I do not think these remarks by Senator Lamontagne are called for at the present time."

The Chair: "We are only discussing this matter at the present time. The Chair will admit that talk has gone far afield in discussion of this matter."

Senator Martel: "I concur with what the President has said and that is the one reason that I made my remarks. It is better that we wait until Tuesday to determine what procedure we are going to undertake to conduct a full and impartial hearing. In answer to Senator Green, I don't know why these charges were not brought to our attention before. I have no

more knowledge, in the light of the situation about the health and welfare department. Let us wait until we see how we are to conduct this investigation and we will listen to testimony at that time. I feel that we are allowing ourselves to fall into dangerous territory if we discuss the merits of this matter at this time."

Senator Blaisdell: "I think we all know that John King is doing something about these charges and also that he is going to do something about the mental health and welfare department. That is my own opinion."

Announcement by the Chair

Red Books are available and may be procured from the Clerk of the Senate, Ben Greer.

On motion of Senator Martel, the rules were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bill

HB 136, to limit recovery of past due expenses at Laconia State School to a period of five years, and to set a statute of limitations on actions for their recovery of six years.

On motion of Senator Riley, the Senate adjourned at 12:50 p. m. to meet next Tuesday morning at 11 o'clock.

TUESDAY, March 16, 1965

The Senate met according to adjournment.

A quorum was present. .

House Message — Bills and Joint Resolutions Read and Referred

HB 40, relative to the sale of sweepstakes tickets. Referred to Judiciary.

HB 47, relative to increase in fish and game licenses. Referred to Fisheries & Game.

HB 67, relative to the sale of liquor by certain golf clubs. Referred to Liquor Laws.

HB 143, to provide for replacing lost hunting and fishing licenses. Referred to Fisheries & Game.

HB 166, relating to towns and cities incurring indebtedness to pay for reappraisals. Referred to Executive Depts., Municipal & County Government.

HB 174, relative to annual payments to firemen's retirement board by call firemen. Referred to Executive Depts., Municipal & County Government.

HB 194, relating to offenses involving minors. Referred to Judiciary.

HB 204, prohibiting a daughter from marrying her father. Referred to Judiciary.

HJR 11, in favor of Peter J. Jenovese. Referred to Banks, Insurance and Claims.

HJR 13, in favor of Edward W. Colby, M.D. Referred to Banks, Insurance and Claims.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 53, to repeal an appropriation to the Granite State Dairymen's Association.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

SB 27, relating to adjustments in the apportionment of public taxes.

Committee Reports

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Government: SB 8, to provide for absentee voting in primary elections. Inexpedient to legislate.

Senator Buchanan: "Mr. President, this bill is one of my own which I introduced and yet it may seem a little incongruous that I am reporting it as inexpedient to legislate. I would say that I still feel that absentee voting should be allowed in the primary. However, the Secretary of State appeared, not against the bill, because they all realize this provision should be made, but if we were to pass this bill, the entire election law procedure in the state would be put out of proper balance. I am not going to introduce such a bill, but I have discussed this matter and between now and the convening of the legislature in 1967, the majority leaders will unite and meet with the Secretary of State's office and see if they cannot bring our election laws up-to-date and a bill may be introduced in the next session to make our election laws more modern. The bill is being reported inexpedient because it is impossible to legislate."

The resolution, inexpedient to legislate, was adopted.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Government: SB 46, prohibiting electioneering on election day. Ought to pass.

Senator Buchanan: "Mr. President, this is another one of my bills and I am not against it at all. I am in favor. This bill had no opposition in the hearing and has a unanimous committee recommendation. The purpose is to eliminate a situation which I believe exists at every polling place, and which has existed in recent years — what I refer to as running an obstacle race at Fort Benning, Georgia. One member of the press calls it 'running a gamut.' Voters are compelled to wade through a wall of supporters of various candidates at both primary and election day, offering matches, cards, etc. before they can get in to cast their ballot. I wonder if the colored people in Alabama would wish to vote if they had to go through this performance. There is no objection to newspaper advertising, or recorded spot announcements on radio or TV on election day — it simply prohibits the physical electioneering at the polling places during the hours of voting."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Engrossed Bills: HB 136, to limit recovery of past due expenses at Laconia State School to a period of five years, and to set a statute of limitations on actions for their recovery of six years. Report the same

under Joint Rule 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the first eight lines and inserting in place thereof the following:

1 Institutional Collections. Amend RSA 8:43 by striking out the same and inserting in place thereof the following: 8:43 Recovery of Expenses. I. The state is entitled to recover the expense of care, treatment and maintenance of any patient or inmate at such institutions or at a public or private institution or otherwise at the direction of the director of division of public health from the patient or inmate, if of sufficient ability to pay or his estate, or from those persons legally chargeable with his support or their estate.

On motion of Senator Gardner, the Senate voted to adopt the amendment offered by the Committee on Engrossed Bills to the above entitled bill.

Senator Martin, for the Committee on Engrossed Bills: HB 151, relating to the assessments of public utility taxes. Report the same under Joint Rule 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the bill by striking out the first four lines and inserting in place thereof the following:

1 Tax Commission, Decision. Amend RSA 82 by inserting after section 15 the following new section: 82:15-a Proportionality. In making its decision under the provisions of this chapter, when it shall appear to the tax com-

On motion of Senator Waterhouse, the Senate voted to adopt the recommendation of the Committee on Engrossed Bills to the above entitled bill.

Senator Martin, for the Committee on Engrossed Bills:

HB 199, relative to state aid to municipalities for water pollution control. Report the same under Joint Rule 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first six lines and inserting in place thereof the following:

1 State Contributions. Amend RSA 149-B:1, as inserted by 1959, 267 and amended by 1961, 55; and 1963, 215, by

striking out in line four the words "on or before June 30" so that said section as amended shall read as follows: 149-B:1 State Contributions. The state of

On motion of Senator Tufts, the Senate voted to adopt the report of the Engrossed Bills Committee on the above entitled bill.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 42, An Act authorizing towns to appropriate funds for aeronautical facilities.

HB 150, An Act relating to payment in lieu of taxes on land acquired for municipal water supply purposes.

HB 205, An Act relative to the salary of the major of Nashua.

HB 212, An Act providing for the classification of the surface waters of the Nashua River watershed.

HB 53, An Act to repeal an appropriation to the Granite State Dairymen's Association.

Eda C. Martin
For the Committee

The report was accepted.

Senator Tufts presiding.

The Chair recognized Senator Johnson: "Mr. President, last Friday afternoon, we discussed the creation of a Joint Committee to investigate certain charges concerning the person who holds the position of Commissioner of Health & Welfare. This morning was the first opportunity that I have had to talk or discuss this matter with Senator Martel. I have asked him if he could meet to discuss this matter and we will meet this afternoon before going further with this matter."

The Chair recognized Senator Lamprey: "Mr. President, I move that the rules of the Senate be so far suspended as to dispense with Committee Hearing and that the following entitled bill be taken up at the present time: HB 86, appropriating funds for the new nursery building at Laconia State School."

Senator Lamprey spoke in explanation: "This bill has to do with the filling of positions and the opening of the King building which will soon be completed and ready to receive children. The reason for this bill being introduced is simply because the building was completed before it was originally thought that the construction would be completed. Seeing that it is completed, they would like, of course, to be able to use the building and in order to be able to use the building, they must have a staff. If this motion is adopted, then I will propose an amendment which will (1) change the amount of funds necessary to staff this building from \$40,000 to \$30,000. The reason for the amendment is because of the fact that originally the effective date for this legislation was March 1st. This date having already gone by, they are not going to be able to have this building ready for occupancy until April 1st and the amendment is purely and simply technical, but it does save us \$10,000. Therefore, I hope that the Senate will suspend the rules to allow us to dispense with the hearing and take it up at the present time. I might say also that the Finance Committee has heard this bill because when Arthur Toll, the Superintendent, was before the House Appropriations Committee, we asked him if he would come in and discuss this bill fully with us in order to save time."

Senator Martel inquired: "How would this affect any funds that have been may be appropriated by the House and Senate Finance Committee?"

Senator Lamprey: "No effect as far as the budget is concerned. It will be a budgetary item for the next biennium. I might also say that this is for the coming biennium."

On a *viva voce* vote, the motion to suspend Committee Hearing on the above entitled bill carried.

Senator Lamprey offered the following amendment and moved its adoption:

Amend section 2 of the bill by striking out in line four the word "forty" and inserting in place thereof the word, thirty, so that said section as amended shall read as follows: 2 Appropriation. In addition to any other funds appropriated for said Laconia State School there is hereby appropriated for the fiscal year ending June 30, 1965 the sum of thirty thousand dollars to be expended for salaries of the new employees whose employment is authorized by section 1.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following: 3 Takes Effect. This act shall take effect as of April 1, 1965.

The amendment was adopted, and the bill as amended was ordered to a third reading.

The Chair recognized Senator Lamprey: "Mr. President, I would like to speak to an item dealing with the psychiatrists at the New Hampshire Hospital. The personnel commission through its Secretary, Roy Lang, submitted to the Governor and Council yesterday a proposal which would have increased the salaries of the present five classified senior psychiatrists at the New Hampshire Hospital so that they would have been kept in line with SB 24.

"This action and recommendation was voted down by the Governor and Council yesterday. Therefore, as Chairman of the Finance Committee, I felt that there existed a situation which needs immediate clarification and therefore, at the Finance meeting this morning, this subject was brought up and discussed and this decision made by the Finance Committee unanimously and it is my purpose to bring it before the entire Senate so that if they for any reason think that a change should be made, or if there are objections, they can be brought out at the present time relative to the five classified senior psychiatrists at the New Hampshire Hospital. Let me point out to you that the Governor and Council has the authority to increase the wages of these classified senior psychiatrists and that these recommendations were made by the state personnel commission, and this is another example of the inability of the Governor to take what steps are necessary in order to facilitate the getting of a Mental Health program off the ground here in New Hampshire. It also appears to be another road block in our Mental Health program and this is tragic, but we must do what we must do and therefore, the Senate Finance Committee wrote a letter to Dr. Niswander, acting Superintendent of the New Hampshire Hospital.

"If the Senate in its wisdom feels that this is not a satisfactory action, I know that the Senate Finance Committee would appreciate knowing it at the present time because the five senior psychiatrists at the Hospital certainly deserve to know what their positions are relative to their salaries. Thank you, Mr. President."

Senator Martel: "Is the last recommendation not against the wishes of the Secretary of personnel?"

Senator Lamprey: "In executive session this morning, I would state that the Secretary of the personnel commission, Roy Lang, suggested that they be taken out from under the classified positions and he made one further recommendation, but it is not an issue at the present time — that the pediatrician at the Laconia State School be taken out from under the classified salary and the reason for that is simply that these rates are more than are provided for in SB 1 — higher than grade 34."

Senator Martel: "Is the recommendation already in written form to be introduced for consideration by the Senate?"

Senator Lamprey: "No, but as stated previously, it will be the intent unless the Senate feels differently about it — it can be brought in under the budget, but it is an item that should be considered by the Senate. If they are to be taken out of the classified section of the law, then we should know about it now. But it can be taken care of under the budget."

Senator Martel: "I would say that insofar as the remarks of the Senator from the 4th District are concerned relating to the inability of the Governor to take care of this problem and apparently being a road block so-called, that is not quite accurate. I would feel that where we are all aware of the situation that happened during the first of the session — it was unfortunate that we could not have had a better relationship between the administration and the leadership on this item. With all the charity that I can command, it just goes to prove that there is nothing to be gained by hurrying through any legislation that can be brought about to better satisfaction when the administration and the leadership work together harmoniously."

Senator Foley inquired: "Are these five psychiatrists the ones that were in your bill?"

Senator Lamprey: "No. They are presently employed at the New Hampshire Hospital. I would like to speak a second time. It has been mentioned that we hurried through certain legislation and it is true that within a month's time from when SB 24 was introduced, it was signed into law, and let me point

out to you right here and now that the people at the New Hampshire Hospital are receiving more treatment because of SB 24 than if SB 24 had never passed at all. When it comes to the point of cooperation, I stand ready, and have taken this same position for a number of years, when cooperation is granted to us, we are certainly in a position to cooperate, but as far as Mental Health in the state of New Hampshire is concerned, I have seen very little cooperation."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

SB 46, prohibiting electioneering on election day.

HB 86, appropriating funds for the new nursery building at Laconia State School.

Introduction of Guests

As the guests of Senator Gove, a group from New Boston, in the gallery.

On motion of Senator Martel, the Senate adjourned at 12:05 p.m., out of respect to the memory of Rev. Mr. James Reeb of Boston, Mass. who gave his life to insure that the rights and privileges embodied in the United States Constitution shall be guaranteed to every American citizen.

WEDNESDAY, March 17, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

The Chair requested the assistant to the President, Mr. Tirrell, to introduce his grandson to the Senate; Donald Tir-

rell Buck, who is working on his thesis at the University of Pennsylvania. At the time Donald was attending the University of New Hampshire, he was one of the leaders of the Young Republican organization there.

As the guest of the entire Senate, former President of the Senate, Philip S. Dunlap.

At the request of the President, Senator Dunlap was seated at the rostrum.

Resolution

Senators Green and O'Gara offered the following Resolution which was unanimously adopted by a standing vote:

Whereas, Wednesday, March 17, is the 62nd birthday of Senator Douglass E. Hunter, Sr., Senator from District No. 23, and

Whereas, This is the second session he has served in this Honorable Senate; now, therefore, be it

Resolved, That we extend to our fellow member our heartiest congratulations and best wishes for this birthday and many more to come; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to Senator Hunter.

Senator Hunter: "Mr. President, I would say that having done everything from driving a pair of green horses down the main street in Manchester to carrying a harp in a parade in West Manchester — this tops it all. I wish to express many many thanks and I am very grateful."

The Chair expressed his thanks and the thanks of the entire Senate to Senators O'Gara and Green for the gifts of the St. Patrick's Day cupcakes left at the desk of each Senator.

House Message — Bill Read and Referred

Mr. President: The House of Representatives has passed the following entitled bill:

HB 87, to allow ice fishing in Sunapee Lake. Referred to Fisheries and Game.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill:

SB 11, to authorize the state council on aging to determine the purposes for which federal funds received by it may be spent.

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

SB 27, relating to adjustments in the apportionment of public taxes.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

AN ACT

relating to adjustments in the apportionment of public taxes for county purposes.

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Adjustments. Amend RSA 29 by adding after 29:11 (supp) as amended by 1961, 106 the following new

On motion of Senator Martin, the Senate voted to adopt the above entitled bill.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 3, relative to issuances of summons in criminal matters.

Amend SB 3 by striking out section 1 and inserting in place thereof the following:

1 Written Summons Required. Amend RSA 594:14 by striking out the word "a" in the third line and inserting in place thereof the words, "in hand a written"; and further amend the section by striking out the words "before the municipal court of" in the sixth line and inserting in place thereof

the words, "before the court in", so the section as amended shall read as follows: 594:14 Summons Instead of Arrest. In any case in which it is lawful for a peace officer to arrest without a warrant a person for a misdemeanor, he may instead issue to him in hand a written summons in substantially the following form:

The State of New Hampshire

To

You are hereby notified to appear before the court in the town (city) of, in the State of New Hampshire, to be holden on the day of 19... at o'clock in the forenoon (afternoon) to answer to a complaint (to be filed in said court) charging you with in violation of the laws of the State of New Hampshire. Hereof fail not, as you will answer your default under the penalty of the law in that behalf made and provided.

Dated at

Name

the day of 19... ..

Title

Upon failure to appear, a warrant of arrest may issue. Wilful failure to appear in answer to such summons may be punished by a fine of not over one hundred dollars or imprisonment for not over thirty days.

On motion of Senator Rinden, the Senate voted to concur in the adoption of the amendment.

Committee Reports

Senator Martin, for the Committee on Judiciary: HB 109, relating to partial payments on account of tax redemption. Ought to pass.

Senator Rinden: "Mr. President, this bill relates to the situation where there has been a tax sale and there is a two year period of redemption. In New Hampshire, the tax collectors have been taking part payment. The tax collectors association backed this bill in order to legalize the practice that has been growing up without legal sanction. There are a small

number of these tax delinquencies and this can be accomplished without any great expense. The Committee voted unanimously that the bill ought to pass."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 110, relating to distribution and filing of property tax inventories. Ought to pass.

Senator English: "Mr. President, this bill was introduced at the request of the Tax Commission. It gives legal sanction to practices now being carried out:

1. It permits the mailing of property tax inventories.
2. Extends the period for their return and,
3. Provides for publication notice of hearings regarding tax liability.

This can be described as a housekeeping bill."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 111, relating to the contestability of a tax collector's deed. Ought to pass.

Senator Rinden: "Mr. President, this bill provides that a tax collector's deed will be contestable 10 years after the deed has been given. It is designed to improve the liability of tax titles, and 10 years is permitted instead of 20. It has the approval of the State Tax Commission, which, in fact, prepared the bill. The committee was unanimous in reporting that the bill ought to pass."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 112, relating to terms of office of tax collector. Ought to pass.

Senator English: "Mr. President, this bill is a clarification of existing law with regard to the succession in office of a collector of taxes. It has the approval of the Tax Commission and the Tax Collectors Association."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 114, relating to applications for tax abatements. Ought to pass.

Senator Rinden: "Mr. President, at present, you can appeal from the local assessors denial of your request for reduction of your assessment directly to the tax commission and the tax commission will then send an appraiser down and appraise your property. This is done without charge to the property owner. As explained by Judge Marvin, in some cases, people have been taking advantage of this service. They have been asking that this be done for personal reasons — in view of perhaps offering the property for sale. This bill requires that a \$5 fee accompany the application for the tax appraisal to the tax commission, in order to be sure that the desire for the appeal be genuine and not financial. The bill was prepared by the tax commission office."

Senator Bergeron: "The six months — is that new or has this been a part of this law previously?"

Senator Rinden: "This bill does not affect anything except to require the \$5."

Senator Riley: "I attended the hearing — but is it possible to amend this bill to say if the party was right and got a judgment that he then could have his \$5 refunded?"

Senator Rinden: "The way Judge Marvin explained it was that we have a \$5 entry fee to enter cases like this in superior court and he thought a similar fee would be appropriate for a similar type of service being made. It just brings the tax commission appeal into line."

The bill was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled Senate Bill:

SB 11, An Act to authorize the state council on aging to determine the purpose for which federal funds received by it may be spent.

Eda C. Martin
For the Committee

The report was accepted.

On motion of Senator Martel, the rules were suspended and all business in order for 2 o'clock this afternoon was made in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

HB 109, relating to partial payments on account of tax redemption.

HB 110, relating to distribution and filing of property tax inventories.

HB 111, relating to the contestability of a tax collector's deed.

HB 112, relating to terms of office of tax collector.

HB 114, relating to applications for tax abatements.

The Chair recognized Senator Lamontagne: "Mr. President, I would like to speak about the shamrocks which I presented to the members of the Senate and the attaches. I would like to have the Senate know that this is in memory of a great friend of mine who used to be the Senator from the 24th District ten years ago — Senator Harry Foote. That day, he was named O'Foote and I was named O'Lamontagne and at that time the Senator from the 2nd District was Senator O'Brien. That day ten years ago, we had quite a celebration and these shamrocks today are in memory of my two good friends."

The Chair recognized Senator Lamontagne: "Mr. President, I wish to speak in behalf of a most worthy cause now being carried on by the Auxiliary of the New Hampshire Hospital. They have been trying to collect 3,000 books of the S & H green stamps in order to secure a bus for the use and enjoyment of the patients there at the Hospital. Right now, they need only one thousand more books and I have been selected to help on this project in the Senate and Representative Larty is the contact man in the House. If you have any books of these stamps, just give them to me and I will see that they reach the proper place. This request is also being made in the House."

Senator Buchanan: "Mr. President, this is a very worthy cause and perhaps Senator Lamontagne might explain a little more about the project."

Senator Lamontagne: "I thought everyone knew about it. The purpose of this drive is to procure a bus for the use of the patients at the New Hampshire Hospital. Last year, the or-

ganization hired a bus for this purpose and it certainly brightened the faces of the people who are sick. They were taken on trips to various places and it was very helpful. These green stamp books are to buy a bus for this purpose."

On motion of Senator Paquette, the Senate adjourned at 12:03 p.m. in honor of the great St. Patrick, the patron saint of today.

THURSDAY, March 18, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator Blaisdell was granted leave of absence for the day on account of important business.

Introduction of Guests

As the guests of Senator English: Dr. Clifford H. Coles, Dean of Franklin Pierce College; Frederick S. DiPietro, President of the College; and Francis Ayer, prominent attorney in Keene and the attorney for the College.

House Message — Bills and Joint Resolution Read and Referred

Mr. President: The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Senate:

HB 4, relating to the labeling of hazardous substances. Referred to Public Health, Welfare & State Institutions.

HB 56, to authorize the division of safety services of the department of safety to acquire land to build a boat house and launching ramp. Referred to the Committee on Finance.

HB 134, relating to capital required to organize insurance companies. Referred to Banks, Insurance & Claims.

HB 249, relating to the closing date for articles to be submitted for the school district warrant. Referred to Executive Depts., Municipal & County Government.

HB 253, relating to reports of examinations made by the banking department. Referred to Banks, Insurance & Claims.

HB 326, to authorize the Hudson School District to vote on the construction of a school building and to authorize the issuance of bonds for the project at a school district meeting. Referred to Executive Depts., Municipal & County Government.

HJR 16, providing for a supplemental appropriation for the division of vocational rehabilitation. Referred to the Committee on Finance.

The Message further stated that the House of Representatives has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 32, relative to listing of New Hampshire liquor products.

The Message further stated that the House of Representatives has voted to concur with the Senate in its amendments to the following entitled bill sent down from the Senate:

HB 86, appropriating funds for the new nursery building at Laconia State School.

The Message further stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 151, relating to the assessment of public utility taxes.

HB 199, relative to state aid to municipalities for water pollution control.

HB 136, to limit recovery of past due expenses at Laconia State School to a period of five years, and to set a statute of limitation on actions for other recovery to six years.

Introduction, First & Second Reading of Senate Bill

SB 55, relating to justices of district courts serving full time becoming judicial referees upon retirement. (Johnson) Referred to Committee on Judiciary.

Introduction of Guests

As the guests of Senator English, Mr. and Mrs. Howard Chase of Hancock, both noted musicians.

At the request of Senator English, the Chair declared a five minute Recess.

(Recess)

The Senate re-assembled.

Committee Report

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 136, An Act to limit recovery of past due expenses at Laconia State School to a period of five years, and to set a statute of limitations on actions for their recovery of six years.

HB 151, An Act relating to the assessments of public utility taxes.

HB 199, An Act relative to state aid to municipalities for water pollution control.

SB 27, An Act relating to adjustments in the apportionment in public taxes.

Paul E. Provost
For the Committee

The report was accepted.

On motion of Senator English, the rules were suspended to dispense with public hearing on the following entitled bill:

HB 326, to authorize the Hudson School District to vote on the construction of a school building and to authorize the issuance of bonds for the project at a school district meeting.

Senator English (in explanation): "Mr. President, this is a bill which has been heard by the House Committee. The Chairman of the House Committee has told me that it is satisfactory to him and I have spoken to the Senator from the District concerned, and have taken steps to see that the bill is in proper order. There is a great urgency in the passage of this legislation."

On further motion of Senator English, the rules were suspended and the bill was ordered to a third reading.

On motion of Senator Buchanan, the rules of the Senate were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

The Chair recognized Senator Rinden: "Mr. President, I wish to inquire of Senator Johnson what the status of the Barry investigation is. We have heard nothing further and I think we should have some report."

Senator Johnson: "Discussions are taking place between the leadership of the Democrat and Republican parties and at this point, I think it would be wise to have no further comment."

Senator Rinden: "Is there any indication as to when the matter may be brought before the Senate?"

Senator Johnson: "I would not like to make any promises, but I would hope soon."

Senator Martel: "I am happy to concur with the remarks of my colleague."

Third Reading & Final Passage of Bill

HB 326, to authorize the Hudson School District to vote on the construction of a school building and to authorize the issuance of bonds for the project at a school district meeting.

On motion of Senator Foley, the Senate adjourned at 11:58 a.m. to meet next Tuesday morning at 11 o'clock.

TUESDAY, March 23, 1965

The Senate met according to adjournment.

Senator Buchanan presiding.

A quorum was present.

Leave of Absence

Senator Lamprey was granted leave of absence for the day in order that he may serve as acting Governor.

Introduction of Guests

As the guests of Senator Buchanan, Mrs. Marian Chapman, the Assistant Chairman of the Amherst Republican Town Committee; and the Senator's bride of twenty years, Mrs. Rosamond Buchanan.

House Message — Bills Read and Referred

Mr. President: The House of Representatives has passed the following entitled bills:

HB 122, expanding duties and powers of N. H. State Apprenticeship Council. Referred to Committee on Labor.

HB 308, providing for the classification of the surface waters of the Androscoggin River watershed. Referred to Resources, Recreation & Development.

HB 262, relative to trustee process. Referred to Banks, Insurance and Claims.

Introduction, First & Second Reading of Senate Bill & Senate Joint Resolution

SB 56, creating separate departments of parks, recreation, forestry, planning and promotion and economic development. (Martel) Referred to Executive Depts., Municipal & County Government.

SJR 7, in favor of Marguerite Ferry. (Paquette) Referred to Judiciary.

Bill Recalled from the Governor

On motion of Senator Rinden, the Senate voted to recall the following entitled bill from the Governor:

SB 3, relative to issuances of summonses in criminal matters.

Senator Rinden explained: "Mr. President, This motion is made because this bill was amended in the House of Repre-

sentatives and on March 17, the Senate voted to concur with the amendment. We were informed that all this amendment did was to insert the words "in hand" thereby requiring that a summons be delivered to the person to whom it was issued. When this bill was being examined for engrossing by the Senate Counsel it was found that in addition the amendment changed the form of the summons by changing the designation of the court from the district court *of* such and such a city to the court *in* such and such a city. Such a designation of the court could lead to technical problems in the opinion of the Senate Counsel and on bringing this to the attention of Representative Totman, Chairman of the House Judiciary Committee, Mr. Totman has requested that this bill be recalled and that a committee of conference be appointed. If the present motion is adopted, I shall then move that the Senate rescind its action of March 17, whereby it concurred with the amendment of the House of Representatives and move that the Senate request a committee of conference relative to Senate Bill 3."

On motion of the same Senator, the Senate voted to rescind its action of March 17th whereby it concurred with the amendment of the House of Representatives.

On further motion of the same Senator, the Senate voted to request the appointment of a Committee of Conference on the above entitled bill.

Pursuant to the above, the Chair named as members of such Committee of Conference on the part of the Senate, Senators Rinden and Riley.

Senator English presiding.

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 26, relative to exceptions from fees under the aeronautics law. Ought to pass.

Senator Buchanan: "Mr. President, this would make some exceptions to the aircraft operating fee requirements. This fee is in lieu of a tax for the use of the state airways system. This would exempt antique aircraft and gliders, providing an antique aircraft is not used commercially and is maintained air worthy primarily for show purposes. Gliders, generally speaking, are not

used on the state airways system and it is felt they should be exempt."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 27, relative to disposition of revenue from aircraft operating fees. Ought to pass.

Senator Buchanan: "Mr. President, in 1961, legislation was passed which imposed an aircraft operating fee in lieu of a personal property tax on aircraft. It also provided the conditions under which disposition of this revenue could be made. The intent was that 25% of this fund be returned to the airport where the aircraft is based and should apply to public and private airports available for public use. This bill attempts to clarify the statute with reference to privately owned airports. Both the Comptroller's office and the office of the Attorney General ruled the intent of the law was not specific in providing for the return of these funds, therefore, no funds have been returned to the privately owned airports. They have been held in abeyance pending amendment of the statute. Without the availability of these privately owned facilities, developed with private capital and maintained for public use, New Hampshire would be in sad shape. Another provision of this bill provides conditions for lapse of these funds."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 44, relative to political expenditures by special committees. Ought to pass.

Senator Buchanan: "Mr. President, this will tighten up, to a certain degree, our election procedures. This would require any so-called 'splinter groups' to file with the Secretary of State the purpose for which they are organized, and a list of the name and addresses of chairman, treasurer and other officers. A similar bill was sponsored last session by Mr. Peterson and passed the House but, because it was the end of the session, did not clear the Senate. This would benefit both parties."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 61, relative to resignation of members of the general court. Ought to pass.

Senator Buchanan: "Mr. President, this is a housekeeping bill which would allow the General Court to accept resignations when they are not in session. An amendment suggested by the Secretary of State which would require that office to notify the Town or City Clerk of the Town or Ward in which the vacancy occurs was added by the House."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 117, relative to supplies for discharged prisoners. Ought to pass.

Senator Buchanan: "Mr. President, this is permissive legislation which would increase the present gate money from \$20 to \$30. This is money given to prisoners when they leave the prison. There is no obligation to give them this money, but testimony indicated in nine out of ten cases it is extremely helpful. This is in addition to any money the prisoner has earned. This was supported by Warden Hancock, and both the Parole officer and assistant Parole officer."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 123, relative to financing sewerage systems, sewage treatment works and waste treatment facilities. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced at the request of the Water Pollution Commission and would eliminate what is considered to be a superfluous hearing by the Commission."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 125, relating to duties of tax collector. Ought to pass.

Senator Buchanan: "Mr President, this is a housekeeping bill introduced at the request of the Tax Collectors. The present law says money must be turned over to the Town Treasurer on the last Monday of each month. The bill would amend that to the 10th of the following month. This does not prohibit the money being turned over prior to that date. This would enable the tax collectors to balance their books for the month

and then give them 10 days in which to turn over the money to the Town Treasurer."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 126, relating to the filing of property tax inventories. Ought to pass.

Senator Buchanan: "Mr. President, this is a housekeeping bill submitted by the Tax Commission. The first of April, an inventory is sent to all persons owning property and under the law, they are to return the inventory to the assessors and selectmen. After that date, if a construction operator, man with equipment or stock-in-trade come to the town and is subject to tax, the law does not provide that he must fill out the inventory. You can give it to him and request it, but you cannot make him fill it out. The purpose of this bill is to provide that the selectmen or assessors may require it and it shall be the obligation of the person, firm or corporation to file a true and correct inventory subject to taxation under this section. This would apply to stock-in-trade, road building or repairing machinery, construction machinery, well-drilling machinery, derricks or stone crushers."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 140, to amend the charter of Saint-Gaudens Memorial. Ought to pass.

Senator Buchanan: "Mr. President, this would enable the Trustees of the Memorial, a non-profit corporation, to turn over to the federal government the memorial property in Cornish, together with endowment funds in the amount of \$100,000. This would then be added to the National Park Trust Fund for the purpose of administering the memorial property. The Trustees feel this is desirable as they do not have sufficient funds to maintain the memorial and there has been a gradual erosion during the last 15 years. The Trustees shall continue in an advisory capacity to the government in the operation of the memorial and would continue as a corporation."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 148, relating to posting of budgets under the Municipal Budget Law. Ought to pass.

Senator Buchanan: "Mr. President, at the present, the posting of a warrant for a town meeting is 14 days prior to the day of the meeting, not including the day of posting and the day of the meeting. The budget has to be posted 7 days prior to the day of the meeting. This bill requires that the budget will be posted at the same time as the warrant, 14 days prior to the meeting, not including the day of meeting and the day of posting. This is supported by the Tax Commission as a housekeeping bill and would put the municipal budget law towns on the same basis as the other towns in the state."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 149, relating to reporting the names of municipal officers. Ought to pass.

Senator Buchanan: "Mr. President, this was sponsored at the request of the Tax Commission. Under this bill, all village officers would be reported to the Tax Commission and all school district officers reported to the Tax Commission and the Commissioner of Education. There are very few of these officers the Tax Commission does not contact during the year, at least by mail. They have been requesting that they be furnished to the Commission but the request has not always been honored. This would make it obligatory and would enable the Tax Commission to act as a clearing house."

The bill was ordered to a third reading.

Senator Buchanan presiding.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 114, relating to applications for tax abatements. Report the same, under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1 Tax Abatements. Amend RSA 76:16-a (supp) as inserted by 1955, 162:1 by striking out the section and inserting

in place thereof the following: 76:16-a By Tax Commission. If the

On motion of Senator Martin, the Senate voted to adopt recommendation of the Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 86, An Act appropriating funds for the new nursery building at the Laconia State School.

HB 109, An Act relating to partial payments on account of tax redemption.

HB 111, An Act relating to the contestability of a tax collector's deed.

HB 326, An Act to authorize the Hudson School District to vote on the construction of a school building and to authorize the issuance of bonds for the project at a school district meeting.

SB 32, An Act relative to listing of New Hampshire liquor products.

Eda C. Martin
For the Committee

The report was accepted.

Introduction of Guests

As the guests of Senator Saggiotes, the students of the Unity Elementary School accompanied by teachers, Mr. Robert Hartwell, 8th grade, and Mrs. Judith Cross, 7th grade. Chaperones Mr. and Mrs. Omer Ahern — Mr. Ahern is the Superintendent of the Sullivan County Home; Mr. Charles Bailey, the County Commissioner of Sullivan County; and Mr. Thurber. Also accompanied by former Senator and present Representative from Unity, Margaret B. DeLude.

Resolution

On motion of Senator Martin, the following Resolution was unanimously adopted:

Whereas, Stephen Wing of Littleton, New Hampshire has been duly elected by his peers in the Youth Government Program sponsored by the Young Men's Christian Association as Youth Governor of the State, and

Whereas, he was elected and acted in an exemplary manner in the discharge of his duties in 1963 as Youth President of the Senate, and

Whereas, such elective honors show great respect and admiration for his abilities, now therefore be it

Resolved, that the Senate express their congratulations and commendations to Mr. Wing for the high honor which has been conferred upon him, and be it further

Resolved, that the Clerk transmit a copy of these resolutions to Mr. Wing.

Resolution

On motion of Senator Howard, the following Resolution was unanimously adopted:

Whereas, Mrs. Maurice W. Mullen, a Gold Star Mother of World War II, of East Concord, New Hampshire, has long been active and recognized throughout the State as one of its civic leaders; and

Whereas, Mrs. Mullen has made many personal sacrifices in contributing to the welfare of the citizens of New Hampshire and mankind as a whole; and

Whereas, Mrs. Mullen has been named the 1965 New Hampshire Mother of the Year; now, therefore, be it

Resolved, by the Honorable Senate, That Mrs. Maurice W. Mullen of East Concord, New Hampshire, be commended for her long, meritorious and devoted service to the people of the State of New Hampshire and all mankind; and be it further

Resolved, That the Clerk of the Senate be instructed to forward a copy of this resolution to Mrs. Maurice W. Mullen.

The President recognized Senator Lamontagne: "Mr. President, I expect to have the honor of introducing the boy who was elected President of the Senate — who will be here tomorrow and I will introduce him at that time. Also, on behalf of

the Auxiliary of the New Hampshire Hospital, and the Chairman, Mrs. Whiteman, I wish to express appreciation to Mrs. Buchanan, the wife of the Senator from the 12th District, for the five books of green stamps — we now need only 880 more books. Any donations will be helpful.”

The Chair: “This drive is getting some publicity and is a most worthy cause. I would urge everybody to contribute as generously as they can.”

On motion of Senator Martel, the rules were suspended to permit all business in order this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

HB 26, relative to exceptions from fees under the aeronautics law.

HB 27, relative to disposition of revenue from aircraft operating fees.

HB 44, relative to political expenditures by special committees.

HB 61, relative to resignation of members of the general court.

HB 117, relative to supplies for discharged prisoners.

HB 123, relative to financing sewerage systems, sewage treatment works and waste treatment facilities.

HB 125, relating to duties of tax collector.

HB 126, relating to the filing of property tax inventories.

HB 140, to amend the charter of Saint-Gaudens Memorial.

HB 148, relating to posting of budgets under the Municipal Budget Law.

HB 149, relating to reporting the names of municipal officers.

On motion of Senator O’Gara, the Senate adjourned at 12:15 p.m.

WEDNESDAY, March 24, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guest

As the guest of Senator Johnson, Mr. Henry Clay of Boston, Mass.

Introduction, First & Second Reading of Senate Joint Resolution

SJR 8, establishing a special legislative committee relative to health and welfare. (Johnson)

The Clerk read the above captioned Senate Joint Resolution.

Whereas, the Governor has advised the leadership of the legislature of charges that have been made against the head of the department of health and welfare, and

Whereas, there are ways and means and procedures established by law that govern situations of this nature, and

Whereas, the individual charged and the individuals making charges have rights and protection under the law, which must be preserved by due process, and

Whereas, the Governor has the full facilities of the state government at his disposal to investigate and evaluate charges such as have been made, and

Whereas, it is the responsibility of the Governor to act in this area if he feels that these charges warrant action, and

Whereas, any parallel study by the legislature at this time would tend to complicate matters and confuse issues, now therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That a special committee consisting of the president, majority leader, minority leader of the Senate, and the speaker and majority leader and minority leader of the House of Representatives be established, and be it further resolved

That such special committee consult with any investigative agency established by the governor, upon the completion of the investigation referred to above, to determine what legislative action, if any, is needed, and be it further resolved

That such special committee shall, upon such consultation, recommend any changes in law which may be deemed necessary to the 1965 legislature, if time permits, and if time does not permit, shall make such recommendations for legislative action to the 1967 legislature.

Senator Johnson moved that the rules be suspended to dispense with printing, referral to committee, holding of public hearing, and that the above Senate Joint Resolution be taken up at the present time.

Senator Johnson spoke in support of the motion: "Mr. President, the resolution introduced today has the concurrence of the legislative leaders and the Governor, and has been worked out over the past week through a number of conferences between the legislative leaders and the Governor.

"Governor King, as you know, brought the matter of charges against the head of the Department of Health and Welfare to the attention of the legislative leaders. He did not reveal to us at that time what steps he would take in response to their charges. The Republican leaders felt, that in view of the charges having been made known to us by the Governor we would take steps to determine if there was any need for legislative action growing out of these charges.

"Only the Governor and Council, of course, have the statutory authority to determine, upon hearings, whether there has been malfeasance in office. In addition, only the Governor and Council have the authority to take administrative action if such charges are determined to be true.

"When discussions began last Tuesday as to the procedure to carry out the responsibilities of both the Legislature and the Governor, it was determined that there should not be parallel studies of this problem by both the executive and legislative branches. The legislative leaders and the Governor are now in agreement that the most orderly procedure would be for the Governor to complete his investigation first, before any steps are taken by the Legislature to determine what, if any, changes

in the law are needed. On the other hand, we feel it is imperative that the Legislature establish a special committee at this time in response to the Governor having brought these matters to our attention. We feel this way because:

“(1) If any need for new legislation is revealed by the Governor’s investigation, then the Legislature should be prepared to take prompt action.

“(2) The results of this investigation may not be known for several months and hence action by this Legislature, if any be needed, will not be possible. A committee should therefore be established to make recommendations to the next Legislature, after consulting with the Governor’s investigating committee, as to any new laws which appear to be needed.”

Senator Martel: “Mr. President, I simply wish to state that the Senator from the 5th District has well outlined what has transpired at these meetings the past week and what has been agreed to unanimously. I would hope that my colleagues would go along with the Resolution and the motion now pending.”

On a *viva voce* vote the rules were suspended.

On motion of Senator Johnson, the above Senate Joint Resolution was ordered to a third reading this afternoon at 2 o’clock.

On motion of Senator Gardner, the rules were suspended, and the above Senate Joint Resolution was ordered to a third reading and final passage at the present time.

Third Reading & Final Passage of Senate Joint Resolution

SJR 8, establishing a special legislative committee relative to health and welfare.

Introduction of Guests

The President welcomed to the Senate, the Republican women from Belknap and Carroll Counties who are visiting the General Court today as a part of the program of “Legislative Day” sponsored by the Women’s Division of the Republican State Committee, Mrs. Mildred K. Perkins of Concord, Chairman.

As a special guest of the Chair, Miss Ethel Smith, who was the first teacher of the President in New Hampshire. He expressed his thanks for her patience during that time.

As the guests of Senator Buchanan, two guests from the University of New Hampshire, William Christie and Bill Johnson.

As the guests of Senator Hunter, three students at Winacunnett High School in Hampton, Gerard J. Dionne, Peter A. Bushold and Gary W. Kimball.

House Message — First & Second Reading of Bills

The House of Representatives has passed the following entitled bills:

HB 216, for the relief of widows and orphans. Referred to the Committee on Judiciary.

HB 440, relative to the firemen's retirement system. Referred to the Committee on Executive Depts., Municipal & County Government.

Introduction, First & Second Reading of Senate Bills

SB 58, relative to the taking of deer. (Paquette) Referred to the Committee on Fisheries & Game.

SB 57, relative to the classification of the positions of senior psychiatrist at the New Hampshire Hospital.

Senator English presiding.

Senator Lamprey moved that the rules be suspended to dispense with printing of the above entitled SB 57, referral to committee, holding of public hearing and that the bill be taken up at the present time. The bill to be printed in the Journal.

Senate Bill 57, An Act

relative to the classification of the positions of senior psychiatrist at New Hampshire Hospital.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Senior Psychiatrists. The eight positions of senior psychiatrist established by 1965, 2:1 and all other positions of

senior psychiatrist at the New Hampshire Hospital authorized at the effective date of this act shall be and hereby are: made unclassified positions and not classified positions; and removed from any of the provisions of Laws of 1963, 251:16 and RSA 94:6, as amended. The commissioner of health and welfare with the approval of the advisory commission on health and welfare is hereby authorized and empowered, whenever in their judgment it is in the best interest of the state, to establish or increase the salary for any or all of said positions at any point in the salary range for senior psychiatrists, including the maximum, provided for by 1965, 2:1, plus maintenance as therein provided. The salaries and maintenance established or increased pursuant to the authority of this section shall be a charge on the salary adjustment fund.

2 Effect on Other Laws. All acts and parts of acts inconsistent with the provisions of section 1 are hereby amended to the extent of the provisions of this act.

3 Takes Effect. This act shall take effect as of February 26, 1965, and shall cease to have any force and effect after June 30, 1965.

Senator Lamprey spoke in explanation of the above motion: "Mr. President, this is technically a housekeeping bill. This is the outgrowth of discussions that we have had relative to senior psychiatrists at the New Hampshire Hospital for the past two months, and I reported to the Senate some ten days ago relative to the problems that we were having then in hiring senior psychiatrists. It was found to be a fact that Dr. Niswander could not hire senior psychiatrists at the minimum wage as outlined under SB 24. The minimum under SB 24 was the maximum as outlined in the budget and it was known at that time that senior psychiatrists could not be hired for a figure around \$12,000 a year.

"After the passage of SB 24, Dr. Niswander, as we hoped he would do, tried to acquire the services of senior psychiatrists for the New Hampshire Hospital. He made an offer to some senior psychiatrists, and in one instance, a senior psychiatrist went to work at the New Hampshire Hospital with the understanding that his salary range would be \$14,000 plus maintenance. Then we found that he could be paid only \$12,000. So we had a high level conference in which Roy Lang partici-

pated, the comptroller's office, and the Senate Finance Committee, and the question was put to Mr. Lang by one of the members of the Finance Committee: Did you know about this when we were discussing the hiring of senior psychiatrists under SB 24? The answer by Roy Lang, the Secretary of the Personnel Commission was: Yes, I knew about it, but I wasn't asked the question and therefore, I didn't volunteer the information. Well, that is quite a way to run a railroad, so I would like to state right now that we as a Finance Committee, or any other Committee in this Senate, expect the implementation that we receive is reliable by department heads, and we expect from now on that when we are discussing an issue, there is going to be full disclosure of what the results are going to be, when we discuss proposed legislation.

"For the record, I would like it clearly understood that when public officials, or officials of the State in official capacity, are testifying before Senate Committees, if they do not proceed from this point on, to the full disclosure and to the full information, you will bring that to our attention. I can assure you this, from this point on, if a way can be found to tie a knot in this tiger's tail, we will try and do it because we cannot be expected to proceed with orderly government if, when we as a legislative committee are seeking information, will later be told 'you didn't ask the question.' Now, we are trying to clear up a technicality which existed in SB 24. That is all this bill does. This bill takes out from under the classified positions and it makes them under the unclassified. This means, in effect, that Dr. Niswander can go out and say I would like to hire you as a senior psychiatrist at \$14,000 plus maintenance and with the approval of the Advisory Commission, he may hire the psychiatrist in question. We are trying to facilitate the improvements at the New Hampshire Hospital, and mental health in general, in New Hampshire. We think this is a step in the right direction. It is not something that has been thought about hastily. It is something that we have known about for some time. It is something that was reported to you in the Senate ten days or more ago and I would hope that the Senate would suspend the rules and proceed with this legislation."

Senator Foley inquired: "On this Senate Bill emergency, it seems to me that when you were pushing this bill, it seems to me that there were so many psychiatrists waiting to be hired if this bill could be passed that day. Where are they now?"

Senator Lamprey: "I would say this — some are working now, who would not be working, if this bill had not been passed."

Senator Foley: "How many?"

Senator Lamprey: "I understand that there are two now — one already there and another that has been encouraged to go to work."

Senator Foley: "I have never met Mr. Lang and I don't know what he said, but at that time, I think no matter what anyone might have said, the bill would have gone through."

Senator Lamprey: "What was the question?"

Senator Foley: "You have answered it for me."

On a *viva voce* vote, the motion to suspend the rules prevailed.

The bill was ordered to a third reading.

Senator Foley inquired: "How many other people working for the State are not classified?"

Senator Lamprey: "A few more than 100 are unclassified. One of the reasons that it is necessary to take them out of the classified system is due to the fact that these people will be beyond the salary range that we can offer under the classified system. Therefore, if they are going to receive adequate wages, and wages which we must pay them in the State of New Hampshire, they are going to be above that which we are able to offer under SB 1. Under SB 1, you are only going to go to \$15,000. In the Governor's recommendation, as I understood it, there isn't any question but what he is willing to see that adequate salaries are paid to personnel in order to get the right people here to New Hampshire. I take the same position and I think the Senate Finance Committee takes the same position. Therefore, it is necessary to take them out from under the classified salary, sooner or later. I noticed in one of the two outstanding daily papers in the state of New Hampshire, in this case, it happened to be the Concord Monitor, where under 'The State is My Beat' column, there was an article and I quote: 'President Lamprey recently sponsored an emergency bill — to boost the pay of positions of 8 senior psychiatrists in hopes of getting good men to fill them, but he is missing the boat. He should

talk with Roy Lang and get some sound advice on such details.' Let me assure the Senate here and now that it was on the advice of Roy Lang that we decided to suggest to the Senate that we not take these people out from under the classified system. It was further brought to my attention by Mr. Lessells that if they were taken out from under the classified system, they would receive approximately \$1,000 apiece in gratuities — such as sick leave, annual leave, and other fringe benefits. At this time, I wish to compliment Mr. Lessells for bringing this to our attention. This is the kind of cooperation we need if we are to act on these matters intelligently. But let me say that this recommendation which was put before the Senate Finance Committee was suggested by Roy Lang, and therefore we sought 'sound advice.' Therefore, I think that the article of March 20th puts an entirely erroneous slant on what we are trying to do."

Senator Gardner: "Let's face it. We need trained personnel at the New Hampshire Hospital. We must have them to be accredited. We want the New Hampshire Hospital to have this accreditation. We have only until July 1, 1965 to be recognized in that capacity. The only way this can be done is to have the personnel to meet this requirement. We must have them and we must raise their salaries and the only way to do this is under the unclassified system."

Senator Martel: "I did not intend to get up because I well remember that the Governor felt that if the Legislature had taken care of this in the first instance, this would not have happened. That is what we are trying to do today, but as Senator Gardner has said as to salary there is lack of cooperation at the hospital as well as under the Health & Welfare Department. Salary is not the only thing involved here. I hope the Legislature will find the ways and means to make a happy solution."

Senator Gardner: "In reply to Senator Martel, I realize that is not the only trouble but it would be a big step along the road in improving the conditions that we have at the present time."

Senator Lamprey presiding.

Committee Reports

Senator Rinden, for the Committee on Judiciary: SB 51, relating to conveyances and other transfers of buildings on land of another. Ought to pass.

Senator Rinden: "Mr. President, this relates to the situation at Hampton Beach where much of the land is held by long term leases. The buildings are treated as personal property and the purpose of this bill is to establish them as real estate in the transfer of this property so that mortgage loans can be fully protected in making the loans. The effect of the bill is to make these buildings real estate instead of personal property. This bill was advocated by the Judicial Council and thoroughly explained by Attorney Upton, representing the Judicial Council."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 194, relating to offenses involving minors. Ought to pass.

Senator Rinden: "Mr. President, as the law is now, a minor is prohibited from entering a pool hall or billiard parlor. A minor can still not enter where liquor is sold unless accompanied by an adult, but he can enter a pool hall or billiard parlor."

The bill was ordered to a third reading.

Senator English presiding.

Senator Lamprey, for the Committee on Finance: HJR 12, providing supplemental appropriation for school building aid. Ought to pass.

Senator Lamprey explained the Joint Resolution: "Mr. President, this is the supplemental appropriation necessary to fulfill the obligations of the state under the school building aid. There was an estimate that was made by the Department of Education and it fell short in the mount of \$63,000. This is a piece of legislation that has come into every session of the Legislature since the school building aid passed in 1957."

Senator Bergeron inquired: "Is it possible to have the Education Department come a little closer in their estimate?"

Senator Lamprey: "That is a good question. They try to figure as closely as they can, but school construction has been accelerated at such a high rate and with so many more schools being built — they are under the estimate every year."

This bill was ordered to a third reading.

Introduction of Guests

As the guests of Senator Saggiotes, the members of the Sullivan County Home Demonstration group with Miss Marion Davis, Home Demonstration Agent.

As the guests of Senator Buchanan, three students from the University of New Hampshire; William Lutz; Miss Barbara Brown, the daughter of Mrs. Phyllis Brown and the niece of the Concord Postmaster, Richard Eddy; and Miss Lee Noseworthy.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 110, An Act relating to distribution and filing of property tax inventories.

HB 112, An Act relating to terms of office of tax collector.

Eda C. Martin
For the Committee

The report was accepted.

House Message

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following Joint Resolution, sent down from the Senate:

SJR 8, establishing a special legislative committee relative to health and welfare.

The Message further stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bill:

HB 114, relating to applications for tax abatements.

Resolution

Senator Lamontagne offered the following Resolution which was unanimously adopted:

Whereas, Joseph Alan Israel of Berlin, New Hampshire, has been duly elected Youth President of the Senate in the

Youth Government Program sponsored by the Young Men's Christian Association; and

Whereas, such elective honors show great respect and admiration for his abilities; now, therefore, be it

Resolved, That the Senate express their congratulations and commendations to Mr. Israel for the high honor which has been conferred upon him; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to Mr. Israel.

Bill Recalled from the Governor

On motion of Senator Buchanan, the Senate voted to recall the following entitled bill from the Governor:

HB 44, relative to political expenditures by special committees.

Senator Buchanan explained: "The purpose of the motion is a good reason from the Engrossed Bills Committee. It was discovered in the wording of the bill after the bill had been passed and adopted by both Houses. As worded, it would require both the Republican and Democrat committees in every town and ward in the state to file with the Secretary of State. Such was not the objective of the bill. If this motion is adopted, I have two or three consecutive motions which will clarify the situation. This is an opportunity to rectify this glaring error."

On motion of the same Senator, the Senate voted to reconsider its action whereby the above entitled bill was ordered to a third reading and passed.

On further motion of the same Senator, the above entitled bill was laid upon the table until such time as an amendment can be prepared.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills — Joint Resolutions

SB 51, relating to conveyances and other transfers of buildings on land of another.

HB 194, relating to offenses involving minors.

HJR 12, providing supplemental appropriation for school building aid.

SB 57, relative to the classification of the positions of senior psychiatrist at the New Hampshire Hospital.

On motion of Senator Riley, the Senate adjourned at 12:40 p.m. in honor of the men making the successful space orbit yesterday.

THURSDAY, March 25, 1965

The Senate met according to adjournment.

Senator Johnson, District No. 5, presiding.

A quorum was present.

Introduction of Guest

As the guest of Senator Gove, his daughter Mary, a student at Lawrence University in Wisconsin.

Senator Gove stated that his wife being an ardent reader of the Senate Journal, he would like to wish her a very Happy Birthday.

House Message — First & Second Reading of Bills

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

HB 18, relative to accrediting out-of-state institutions of higher learning. Referred to Education.

HB 104, to prohibit spillage of loose material and fluids on highways. Referred to Public Works & Transportation.

HB 171, to increase the public revenue from the tax on legacies and successions. Referred to Ways & Means.

HB 172, to increase the public revenue from the tax on public utilities. Referred to Ways & Means.

The Message further stated that the House of Representatives has voted to accede to the request of the Senate for a Committee of Conference on the following entitled bill: SB 3, relative to issuance of summons in criminal matters, and the Speaker has appointed as members of said Committee on the part of the House: Representatives Totman of Alstead; Leonard of Nashua; and Spanos of Newport.

Introduction, First & Second Reading of Senate Bills

SB 59, making an appropriation for educational television. (English) Referred to Committee on Education.

SB 60, relative to the board of trustees of the University of New Hampshire. (Buchanan) Referred to the Committee on Education.

SB 61, relating to public roads to private recreational areas. (Howard) Referred to the Committee on Resources, Recreation & Development.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 120, relating to life insurance limits in loans for educational purposes. Ought to pass.

Senator Buchanan: "Mr. President, this bill simply increases the limits authorized under the statutes of this State which presently limit life insurance company loans to \$10,000. Briefly, a non-profit organization in Manchester, known as Funds for Education, Inc. currently loans money to parents of children attending a private school or college. The only security which this organization has for the money loaned is the signature of the borrower and the man's life. If he dies without insurance covering the loan, the organization is out of luck. This does not conflict or compete with the life insurance industry as such, as this bill is in order to facilitate the borrowing of money for the ever increasing costs of higher education. The Committee feels that the bill ought to pass."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 218, authorizing state banking institutions to act as fiscal agents of the United States. Ought to pass.

Senator Buchanan: "Mr. President, this bill simply legalizes acts and functions which banks are already performing. The bill concerns only banks chartered by the State, all of which act as fiscal agents for the federal government in one capacity or another. There is nothing permitting them to do so, although there is nothing forbidding them either. The Bank Commissioner appeared in favor of this bill."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance and Claims: HB 253, relating to reports of examinations made by the banking department. Ought to pass.

Senator Buchanan: "Mr. President, this is a little more complex than the other ones on the Calendar this morning. In essence, it would provide that the report of bank examinations be treated in confidence and with discretion and secrecy by the Bank Commissioner. It ties up some of the loopholes which now exist in the law with respect to the revelation of information contained in bank examinations. The bill was sponsored by the Bank Commissioner, Mr. King, who appeared in favor of the bill and urged its passage."

Senator Hunter: "Mr. President, I am interested in this subject and not too familiar with it. Would it be in order to have further consideration of this bill and report made a Special Order of Business for next Tuesday at 11:01, so that I can look into it?"

Senator Buchanan: "I have no objection."

Senator Hunter: "Mr. President, I would so move."

The motion for Special Order on the above entitled bill carried.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 134, relating to capital required to organize insurance companies. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced in the House at the request of Mr. Knowlton, the Insurance Commissioner, who appeared in favor. Presently, all that is required to organize an insurance company is \$200,000. This bill, obviously, doubles that requirement and certainly is not out of order today with the increase in costs. Furthermore,

the statute requires that in addition to the capital, the company is required to have 25% of its capital in surplus. By doubling the capital requirement and also doubling the surplus, now a company must have at least \$500,000 to start an insurance company. I am in the insurance business — and all I can say is, this bill does not go far enough.”

The bill was ordered to a third reading.

Senator Hunter, for the Committee on Fisheries & Game: SB 34, to repeal special fishing regulations relative to the upper Connecticut River. Ought to pass.

Senator Riley: “Mr. President, this bill is to repeal a law that was enacted relative to the Connecticut River, in the ’61 session, I believe. Its intent was to restrict the upper Connecticut River to live bait and fly fishing. A man was caught fishing in the river with a spoon. He was taken to court and the judge decided that the spoon or anything used to fish with could be considered as bait. The problem is that in certain sections of this river, the Fish & Game would like to have live bait used, but they object to the use of spoons. This would repeal section 211:3 and then the above can be regulated.”

Senator Martin inquired: “Was there any opposition?”

Senator Hunter replied: “None.”

The bill was ordered to a third reading.

The Chair announced that the Committee Report on the following entitled bill had been withdrawn by the Committee Chairmen:

HB 47, relative to increase in fish and game licenses.

Senator Lamontagne: “Mr. President, may I inquire from any member of the Fish & Game Committee the reason for withdrawing the above Committee Report?”

Senator Hunter: “The question was raised as to whether or not it would change the validity of the present statute as far as veterans are concerned. Not having considered that angle, we thought it would only be fair to delve into the question and the Senate Counsel is working on it now.”

Senator Lamontagne: “Thank you, Senator Hunter. We certainly want to take care of our veterans.”

Engrossed Bills

Senator English, for the Committee on Engrossed Bills:

HB 61, relative to resignation of members of the General Court. Having considered the same, report the same under Joint Rule No. 6 with the following amendment, and recommend that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the first seven lines and inserting in place thereof the following:

1 Members of the General Court. Amend RSA 14-A, as inserted by 1965, 7:1, by inserting at the end the following new section: 14-A:2 Resignations. I. A member of the general

The Senate voted to adopt the report of the Committee on Engrossed Bills.

Senator English, for the Committee on Engrossed Bills: HB 149, relating to reporting the names of municipal officers. Having considered the same, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 2 of the bill by striking out line fifteen and inserting in place thereof the following:

names and mailing addresses of all village district officers.

The Senate voted to adopt the report of the Committee on Engrossed Bills.

Senator Provost, for the Committee on Engrossed Bills: HB 126, relating to the filing of property tax inventories. Having considered the same, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Inventory. Amend RSA 73:5 (supp) as amended by 1963, 85:1 by adding at the end thereof the following sentence, the

Further amend said section 1 by inserting after the words "merchant or" in the sixteenth line the word, a.

Further amend said section 1 by striking out the twenty-fifth and twenty-sixth lines and inserting in place thereof the following:

hire, he or it shall be taxed upon such property in such place as in the cases of persons

The Senate voted to adopt the report of the Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 26, An Act relative to exceptions from fees under the aeronautics law.

HB 27, An Act relative to disposition of revenue from aircraft operating fees.

HB 117, An Act relating to supplies for discharged prisoners.

HB 123, An Act relative to financing sewerage systems, sewage treatment works, and waste treatment facilities.

HB 125, An Act relating to duties of tax collector.

HB 140, An Act to amend the charter of Saint-Gaudens Memorial.

HB 148, An Act relating to posting of budgets under the Municipal Budget law.

Eda C. Martin
For the Committee

The report was accepted.

Taken From the Table

On motion of Senator Buchanan, the following entitled bill was taken from the table: HB 44, relative to political expenditures by special committees.

Senator Buchanan offered the following amendment and spoke in support:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following: 1 Committee Required

to File Statement. Amend RSA 70:4, as amended by 1955, 273:1 and 1957, 303:2-4, by adding a new paragraph after paragraph VII to read: VIII. by a political committee, except the state, county, city, ward or town committee of a political party, unless the political committee files with the secretary of state a statement of the purpose for which the political committee is organized, and a statement of the name and address of its chairman, treasurer, and other officers. The statements shall be filed not later than forty-five days prior to a primary election. A member of the committee shall not do any act as a committeeman to promote the success or defeat of a political party, a measure on the ballot, or a candidate, until the statements required by this paragraph are filed. A committee to promote the nomination of a candidate at a primary election may not be organized within forty-five days of a primary election.

"Mr. President, yesterday when we moved to take this back from the Governor, I explained that there was a typographical error, so to speak, and this amendment rectifies the error and clears the intent of the law."

On motion of Senator Buchanan, the amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

HB 44, relative to political expenditures by special committees.

HB 120, relating to life insurance limits in loans for educational purposes.

HB 218, authorizing state banking institutions to act as fiscal agents of the United States.

HB 134, relating to capital required to organize insurance companies.

SB 34, to repeal special fishing regulations relative to the upper Connecticut River.

The Chair recognized Senator Buchanan: "Mr. President, of importance to this august body, today marks the departure from this Senate of our Doorkeeper, Mr. Richard Odell. Dick has served us faithfully and well for these past three months that we have been in session. He is leaving us only to accept a full time position in another one of the State departments. This man is a dedicated servant in many political and civic activities. He has served us cheerfully and willingly. I propose that we give this man a round of applause."

(Applause)

Senator Hunter: "I just think our closing should be in honor of our able Doorkeeper, so that his name may remain on the record as being remembered by this body."

On motion of Senator Martin, the Senate adjourned at 12:15 p.m. in honor of Mr. Richard Odell, to meet next Tuesday morning at 11 o'clock.

TUESDAY, March 30, 1965

The Senate met according to adjournment.

A quorum was present.

House Message — First & Second Reading of Bills

The House of Representatives has passed the following entitled bills:

HB 17, relative to organization of certain educational corporations. Referred to Education.

HB 49, to increase the limit of outstanding borrowing by the state. Referred to Finance.

HB 94, appropriating additional funds for the construction of a residence hall at the University of New Hampshire, and to be liquidated from income. Referred to Finance.

HB 159, authorizing taking deer on islands by fish and game director. Referred to Fisheries & Game.

The Message further stated that the House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution

inviting the National Commander of the
American Legion, Donald E. Johnson to
address the Joint Convention.

Whereas, the National Commander of the American Legion, Donald E. Johnson of West Branch, Iowa, is making his annual official visit to the American Legion Posts in New Hampshire, and

Whereas, Mr. Johnson has distinguished himself by his work on Americanism and Government, therefore be it

Resolved, that Commander Johnson be invited to address us in Joint Convention on Thursday, April first, 1965.

The above Concurrent Resolution was unanimously adopted.

Introduction, First & Second Reading of Senate Bill

SB 62, relative to lease or purchase of voting machines. (Tufts) Referred to Committee on Executive Depts., Municipal & County Government.

Resolution

Senator Martin offered the following Resolution, which was unanimously adopted:

Resolved, That Nathan A. Tirrell, Assistant to the President, replace Richard Odell as Doorkeeper, resigned, for the balance of the session.

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 50, to amend the charter of Women's Aid Home. Ought to pass.

Senator Buchanan: "Mr. President, this bill is another bill similar to those that came up a number of weeks ago which

changes the charter of a so-called charitable organization. Currently, the holdings are limited by putting a ceiling on their assets. This bill would remove the ceiling on the assets of the charter of the Women's Aid Home in Manchester which is a charitable institution. It is non-sectarian and non-fraternal and this bill would legalize the holdings which they now have. The present law makes it illegal for a home of this sort to own the amount of money that they now own. This corrects an error in our statutes. As stated before, I would suggest that this be done by a blanket law, if such can be effected."

Senator Martel: "Mr. President, I introduced the bill. Senator Buchanan has explained the bill very well. I just wish to add this comment — The Women's Aid Home in Manchester was for many years financed by Mr. Carpenter, the father of Mrs. Manning, and also by Mrs. Manning. Much has been done for the betterment of our citizens in Manchester for many years. Mrs. Manning has recently passed away and I wish to add these few words in tribute to her. She had many accomplishments in Manchester — all very worthy causes."

The bill was ordered to a third reading.

Statement by the Chair

The Chair announced: "I have just been informed by the Assistant Clerk of the House that they would like to recall HB 17, relative to organization of certain educational corporations. This bill has already been read into the Senate and has been referred to Committee. The Chair would ask unanimous consent that it be returned to the House. Is there objection?"

"There being no objection, the bill will be returned to the House."

Committee Reports (continued)

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 52, relative to the city manager of the city of Berlin. Ought to pass.

Senator Buchanan stated that he would defer to Senator Lamontagne for explanation.

Senator Lamontagne: "Mr. President, this bill has been requested by the people of Berlin. They wished this question

placed on the ballot. Some people felt that the question of City Manager was not clear when RSA 49 was adopted. The City Council did not place the question on the ballot at the last election because they felt there was something wrong. What was wrong, I do not know. The city of Berlin is in a serious situation because of the home rule bill passed in 1963. It was not the fault of the sponsors of the home rule bill, but Berlin had adopted RSA 49. When the home rule bill was adopted, RSA 49 was repealed. RSA 49 is the City Manager form of government, so now the bill is asking for a referendum giving the people the opportunity of voting on referendum with the question: Shall the city discontinue the City Manager? The question has been asked by some of the citizens: Why was not the question "Shall we continue the City Manager?" In the law, it spells out just how it should be and therefore, the wording — it refers back to the wording — with a box for yes and a box for no. Further into the bill — this is in order to straighten out the mess that we are now in. As I have said, it is not the fault of the sponsors of the home rule bill, but Berlin is the only city in the United States that has two forms of government and the people would like to have one or the other. Therefore, this bill would provide referendum to allow the people of Berlin to decide which way they prefer. I just heard this morning that the Mayor has informed the Republican leadership that he wished to be heard on this bill. If this bill passes this body today, this bill will be referred to the Berlin Delegation as usually these bills are referred to local representation. If it is passed, I am sure whoever wishes to appear will have that opportunity to appear before the Berlin Delegation."

Senator Buchanan: "Mr. President, I would augment — the hearing will be in the city of Berlin itself."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 249, relating to the closing date for articles to be submitted for the school district warrant. Ought to pass.

Senator Buchanan: "Mr. President, this is a very simple bill and would provide that the closing date for articles and for posting of warrants be coincidental."

The bill was ordered to a third reading.

Senator Saggiotes, for the Joint Committee on Labor and Judiciary: HB 200, relative to unemployment compensation trust funds. Ought to pass with amendment.

Amend paragraph B of RSA 282:8 as inserted by section 1 of the bill by striking out the last two sentences and inserting in place thereof the following, The treasurer shall give a bond conditioned upon the faithful performance of his duties including those as custodian of the fund in the amount of three hundred thousand dollars. Premiums for said bond shall be paid from the unemployment compensation and employment service administration fund and purchased by the division of purchase and property, so that said paragraph as amended shall read as follows: B. Accounts and Deposit. The commissioner shall designate a permanent full-time classified employee of the department to be treasurer of the fund who also shall be the custodian thereof. The treasurer shall administer such fund solely in accordance with the directions of the commissioner. He shall maintain within the fund three separate accounts: (1) a clearing account, (2) an unemployment trust fund account, and (3) a benefit account. All moneys payable to the fund, upon receipt thereof by the treasurer, shall be immediately deposited in the clearing account. Refunds payable pursuant to section 12-h of this chapter may be paid from the clearing account. The clearing account shall be used for deposit and clearance of any instrument which involves payment to the unemployment compensation fund and any other fund created within or without the state treasury by this chapter; upon clearance, such amount as is found to be due such other fund shall immediately be withdrawn by check and forwarded to the custodian of such fund for deposit. After clearance thereof, all other moneys in the clearing account shall be immediately deposited with the secretary of the treasury of the United States of America to the credit of the account of this state in the unemployment trust fund, established and maintained pursuant to section 904 of the Social Security Act, as amended, any provisions of law in this state relating to the deposit, administration, release, or disbursement of moneys in the possession or custody of this state to the contrary notwithstanding. The benefit account shall consist of all moneys requisitioned from this state's account in the unemployment trust fund. Except as herein otherwise provided, moneys in the clearing and benefit accounts may be deposited by the treasurer in any bank or

public depository in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid out of said fund. The treasurer shall give a bond conditioned upon the faithful performance of his duties including those as custodian of the fund in the amount of three hundred thousand dollars. Premiums for said bond shall be paid from the unemployment compensation and employment service administration fund and purchased by the division of purchase and property.

The Chair declared a two minute Recess.

(Recess)

The Senate re-assembled.

Senator Saggiotes: "Mr. President, this bill relates to the large fund into which all taxes go that are collected under employment laws.

"The fund has about 25 million dollars at the present time.

"Under the existing statute, Mr. Flanders, the State Treasurer, is custodian of the fund. The law states that the Director of Employment Security shall designate the State Treasurer as custodian, but he does not have control over the administration of the funds, since they are federal.

"So, actually this bill places the custody of the funds in the Department of Employment Security which administers the same. This makes the handling of these funds more efficient and economical since it eliminates the duplication of records that the State Treasurer must have under the present law.

"The amendment to HB 200 is in regards to the bonding of the Treasurer and Custodian of the States Unemployment Compensation Fund, in the amount of \$300,000.

"The bill, as amended, has the approval of both the State Treasurer and the Commissioner of Employment Security."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Hunter, for the Committee on Fisheries & Game: HB 47, relative to increase in fish and game licenses. Ought to pass.

Senator Hunter: "Mr. President, this bill does not affect the part relative to veterans and members of the armed forces. I would move that the bill be ordered to a third reading."

The bill was ordered to a third reading.

Senator Hunter, for the committee on Fisheries & Game: SB 47, relative to taking moose. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting thereof the following:

AN ACT

relative to penalty for taking moose.

Amend Section 1 of the bill by inserting in line 4 after the word "time" the words, willfully shoot, so that said section as amended shall read as follows:

1 Moose. Amend RSA chapter 208 by inserting after section 1 the following new section: 208:1-a — Moose. No person shall, at any time, willfully shoot, hunt, take, or have in his possession, any moose or any part of his carcass thereof, taken in this state.

Amend Section 3 of the bill by striking out in line 8 the word "may" and inserting in place thereof the word, shall, so that said section as amended shall read as follows:

3 Revocation for Conviction. Amend RSA 214:19, as amended by 1955, 62:2, by inserting after the word "years" in line eight thereof the following; or except for a conviction under RSA 208:1-a, in which case the revocation may be for a period not to exceed two years, so that said section as amended shall read as follows: 214:19 Revocation for Conviction. The director shall revoke the license of any person who has been found guilty in any court of a violation of any provision of this title or any rule or regulation of the director, or who has been found guilty in a municipal court of a violation of RSA 572:7, 12, and 13 prohibiting trespassing upon improved land or destroying fences. Such revocation shall not continue for more than one year from the date thereof, except for a conviction under RSA 208:8, in which case the revocation may be for a period not to exceed five years, or except for a conviction under RSA 208:1-a, in which case the revocation may be for a period not to exceed two years. The director shall revoke the license

of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction.

On motion of Senator Hunter, the reading of the amendment was dispensed with. (Same having been printed in the Journal).

Senator Hunter: "Mr. President, I would defer to Senator Lamontagne whose bill it is and he can tell you about the reason for the bill. It was the opinion of the Committee that the bill ought to pass as amended."

Senator Lamontagne: "Mr. President, this bill was introduced because up north we have had some of our moose in the river where people used to make special visits to Thirteen Mile Woods and take pictures of the different moose that we had in the river. Unfortunately, we have had some people come up to the north country and shoot our moose down. We felt that the fine should be increased and therefore the fine has been increased to a minimum of \$500 and a maximum of \$1,000. Also in the bill, it says that the fine cannot be suspended. Now I understand that the Committee has placed an amendment and I would defer to Senator Riley."

Senator Riley: "Mr. President, one amendment would change the title of the bill to penalty for taking moose, rather than relative to taking moose. There was some opposition by members of the House Fish & Game Committee and perhaps slightly by the Fish & Game Department in line 3. It was felt that if some young fellow shot a moose by mistake, there would be no out here. My amendment inserts the words 'willfully shoots' — not by mistake, but willfully."

Senator English inquired: "What about the situation where a person might shoot a moose say in Quebec?"

Senator Riley: "In the case of anyone bringing a moose into the state that was shot out of the state — why the same is included in our deer regulation. This is taken care of in that section of our law."

Senator Lamontagne: "I am convinced of one thing — you passed a bill — go out and shoot moose. This certainly

spells out what we are aiming for. Under the section where moose is included with caribou and elk. The moose has been taken out of the section. I have no objection to the committee amendment, but I wonder if Senator Riley would answer a question. May has been changed to shall. I would rather see may instead of shall."

(Discussion ensued)

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator English, for the Committee on Education: HB 18, relative to accrediting out-of-state institutions of higher learning. Ought to pass.

Senator English: "Mr. President, HB 18 extends the power of the Coordinating Board of Advanced Education and Accreditation to evaluate branches or extension courses offered in New Hampshire by an out-of-state institution."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Engrossed Bills: HB 218, authorizing state banking institutions to act as fiscal agents of the United States. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Banking Institutions. Amend RSA 384 by inserting after section 37 (supp) as inserted by 1963, 145:1 the following new subdivision:

Fiscal Agent of United States

384:38 Authority to Act. State banks, savings

The recommendation of the Committee on Engrossed Bills was adopted.

Report of Committee of Conference

The Committee of Conference, to whom was referred Senate Bill 3, An act relative to issuances of summonses in criminal matters, having considered the same, report the same with the following recommendation: that the House recede from its

position in adopting its amendment and that the following amendment be adopted:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Written Summonses Required. Amend RSA 594:14 by striking out the same and inserting in place thereof the following: 594:14 Summons Instead of Arrest. In any case in which it is lawful for a peace officer to arrest without a warrant a person for a misdemeanor, he may instead issue to him in hand a written summons in substantially the following form:

THE STATE OF NEW HAMPSHIRE

To

You are hereby notified to appear before the district (municipal) court of the State of New Hampshire, to be holden on the day of 19... at o'clock in the forenoon (afternoon) to answer to a complaint (to be filed in said court) charging you with in violation of the laws of the State of New Hampshire.

Hereof fail not, as you will answer your default under the penalty of the law in that behalf made and provided.

Dated at
Name

the day of 19...
Title

Upon failure to appear, a warrant of arrest may issue. Wilful failure to appear in answer to such summons may be punished by a fine of not over one hundred dollars or imprisonment for not over thirty days.

Senator Rinden

Senator Riley

Conferees on the part of the Senate

Mr. Totman of Alstead

Mr. Leonard of Nashua

Mr. Spanos of Newport

Conferees on the part of the House

The Committee of Conference report was adopted.

Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills, House and Senate Joint Resolutions:

HB 114, An Act relating to applications for tax abatements.

HB 194, An Act relating to offenses involving minors.

HJR 12, Joint Resolution providing supplemental appropriation for school building aid.

HB 120, An Act relating to life insurance limits in loans for educational purposes.

SJR 8, Joint Resolution establishing a special legislative committee relative to health and welfare.

Eda C. Martin
For the Committee

The report was accepted.

Concurrent Resolution

Senator Rinden offered the following Concurrent Resolution which was referred to the Committee on Judiciary:

Concurrent Resolution applying to the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States pertaining to the offering of prayer in public schools and other public places in the United States.

Resolved by the Senate, the House of Representatives Concurring,

That this Legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

Article —

“Section 1. Nothing in the Constitution of the United States shall be deemed to prohibit the offering of any prayer

to God or any other recognition of God in any public school or other public place."

"Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several states within seven years from the date of its submission to the States by the Congress."

Be it Further Resolved that if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect.

Be it Further Resolved that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

Resolution

Senator Riley offered the following Resolution which was referred to the Committee on Fisheries & Game:

Senator Riley of the 14th District offers the following Resolution and moves for its adoption.

Whereas Senator Thomas McIntyre of New Hampshire states in his Report Home Vol. III No. I dated March 22, 1965 that he, quote "strongly favors adoption of legislation to regulate sale, shipment, ownership, and registration of firearms; and that he applauds Senator Thomas Dodds' Senate Bill No. 14, which offers sound proposals for gun control" end of quote, and

Whereas, a few unscrupulous gun merchants are creating a serious situation for law abiding citizens who believe in the right to keep and bear arms and that mail order guns become a national issue. Steps must be taken to stop traffic of mail order guns into unauthorized hands.

Resolved that Senator McIntyre and the United States Senate take a long hard look at any proposed legislation to assure themselves that any legislation enacted would accomplish its intended purpose; and not be legislation which hampers the

honest citizen in his desire to own and possess firearms for sport, pleasure and self defense.

Resolved that any firearms legislation at the federal level aimed at anything but mail order sales would be an infringement on the rights of the citizens of New Hampshire. That any legislation for registration and regulating ownership of firearms, if need becomes apparent, be left to the State Legislatures where the citizens, gun owners and sportmen will be afforded a public hearing and any legislation will be judged on the needs present in that State.

Further Resolved that the Clerk of the Senate be instructed to transmit a copy of these Resolutions to Senator McIntyre.

Communication

March 30, 1965

To the Honorable Senators:

I would like to express my thanks for having had the privilege of serving such a dedicated group for the last three months.

It has been one of the most enjoyable and memorable periods of my life. I have learned much and will have a most cherished recollection of the time spent serving you.

Sincerely,
s/ Richard Odell

Special Order of Business at 11:01

Senator Hunter called for the Special Order of Business. Being: Shall the following entitled bill be ordered to a third reading:

HB 253, relating to reports of examinations made by the banking department.

Senator Buchanan: "Mr. President, this was put over from last Thursday. The Committee has no further comment to make except to recommend its passage. I would defer to Senator Hunter who requested the Special Order."

Senator Hunter: "Mr. President, after considerable research and amassing some pages of literature here, I have come to the conclusion that the thing I was afeared of is no longer

necessary to be considered. I would ask at this time that the committee report be accepted as read."

The bill was ordered to a third reading.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Introduction of Guests

As the guests of Senator Hunter, the following ladies, members of the Rockingham County Home Economics Extension group, were welcomed to the Senate:

Mrs. Harris Power, Mrs. Fred Davideit, Mrs. Howard Hunter, Alison Hunter, Mrs. Ralph Howard, Mrs. Pearl M. Stevens, Mrs. William S. Wright, Mrs. James McAllister, Mrs. Kate C. Roy, Mrs. Myrtle I. Taylor, Mrs. H. E. Clark, Mrs. Lillian Thomas, Alice L. Kenney, Phyllis Sanborn, Rose Marie Meeker, and Ruth G. Stimson, Rockingham County Executive Secretary, Mrs. Robert Beckley, Bessie Cornwell and others.

Third Reading & Final Passage of Bills

SB 47, relative to penalty for taking moose.

SB 50, to amend the charter of Women's Aid Home.

SB 52, relative to the city manager of the city of Berlin.

HB 18, relative to accrediting out-of-state institutions of higher learning.

HB 47, relative to increase in fish and game licenses.

HB 200, relative to unemployment compensation trust funds.

HB 249, relating to the closing date for articles to be submitted for the school district warrant.

HB 253, relating to reports of examinations made by the banking department.

On motion of Senator Riley, the Senate adjourned at 12:30 p.m.

WEDNESDAY, March 31, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guest of Senator Blaisdell, Mr. Stephen DiMilo from West Swanzey.

As the guests of Senator Provost, the following members of the Senior Class of Memorial High School in Manchester, accompanied by teacher Mr. Steven Zottos and Cadet Teacher Mr. John Putnam of Keene: Karen Craig, Susan Nye, Sandra Lazott, Evelyn Gionet, Jennine Duval, Tom Sklutas, George Owen, Susan Poulin, Jo Anne Morris, Robert Norris, Bob Barton, Norma Lemire, Barbara Charest, Mike Richardson, Ronald Lessard, Carolyn Coburn, Richard Bunker, Karen Kastner, Ronald Proulx, Mike Kott, Nancy McGuire, Marjorie Dachowski, Richard Dubois, Janice Proulx, William Clack, Ken Klatka, Linda Atkins, Nancy Ordway, Carol Demers, Mona Beale.

As the guests of Senator O'Gara, the following Oyster River Junior High School 8th grade pupils: Betsy Ayer, Karen Badger, Clarence Boston, Joe Bowring, Alison Brayton, David Bryce, Paul Bunning, Bonnie Butler, Ken Byers, Allison Caddel, Laurence Cahill, Stephen Carlson, Patricia Casey, Charon Cathcart, Allan Chamberlin, Brady Chapin, Eve Chesbro, Jeanette, Congdon, John Delano, Susan Dow, David Drew, Arlene Dyer, Gary Doucette, Nancy Fernald, Chris Finlayson, Crystal Fowler, Linda Gadon, Sara Gallant, Gladys Gates, Kathy Gough, Carol Grant, Gerry Hamel, Mary Heald, Mary Hobbs, Barbara Hoene, Karen Houston, Harriet Hull, Jaye Hull, Karen Jennison, Christine Johnson, Michael Kennard, Frank Kimball, Meredith Kitfield, Janet Littlefield, Susan Laney, Dave Laney, Stephen Lawson, Patti Lobdell, Kathleen McCann, Bill Mahoney, Patricia Martin, Stephen Mattson, Roy Merrill, Jeff Merritt, Wanda Metcalf, Christine Michael, David Mills, Cynthia Moore, Frances Morrison, Jeanne Morse, Katherine Mulhern, Marjorie Munroe, Joe Murdoch, Mel Norton, Mark Novotny, Kevin O'Donnell, Christine Paddock, Kathy Phenix, David Pierce, Keith Pigeon, Wilson Pike, Bruce Plumer, Penny Prince, Elinor Pullen, Margaret Rinta, Marilyn

Sakowski, Mary Simons, Carl Smith, Abigail Stein, Jack St. Jean, Barry Storer, Donald Sumner, Penny Temple, Nancy Tibbetts, Jo Anna Tyson, Jim Valentine, Karen Wakefield, Harriet Ward, Jennifer Wheeler, Susan Whitlock, Darryl Wright, Paula Wyman; 7th Grade pupils: Tom Abbott, Andrew Alden, Charles Allen, Robin Badger, Marie Bassett, Denis Benoit, Djuna Bishop, Deborah Boyd, Mike Brayton, Thomas Cahill, Vera Clark, Linda Clement, Reinette Comtois, Paul Comtois, Cindy Connor, Ernest Dean, Brant Dame, Scott Davis, Mary Sue Ellis, Water Estes, Marcia Ferrigno, Mark Feuer, Bill Fickett, Judith Fogg, Paul Frick, Margaret Gadon, Thomas Gaudreault, Karen Gaudreault, Kathy Gearwar, Rebecca Grant, Steve Haendler, Bob Henry, Ruth Hobbs, Christine Hoene, Douglas Houston, Robert Howarth, Jennifer Hull, William Isaacson, Deborah Jacobs, Martin Jennison, Sam Johnson, Richard Jones, Kathy Keesey, John William Kelley, Donald LaRoche, Paul Lebeau, Clifford Leighton, Sandra MacArthur, Lorna McGrath, Kathy McLean, Cathie Menge, Joyce Mills, Mark Morong, William Myers, Lee Nicoloff, Glenn Pierce, Mike Plumer, Leah Poll, Persis Plaisted, Bruce Prichard, Mike Provost, Becky Rajaniemi, Gia Randall, David Raynes, Joann Roy, Russ Richmond, Burt Richmond, Nancy Robinson, Ann Ross, Paul Sancher, Greg Sawyer, Steve Schultz, Peter Silverman, George Smith, Randy Stevens, Becky Storer, Cindy Storer, Joe Sukeforth, Darrell Terry, Allen Tibbets, Diana Terrill, Janet Valentine, Barbara Vizziello, Mike Ward, Cindy Warnock, Pam Weeks, Ken Wolfe, Harvey Woodward, Doug Worthen, Wayne Wyman, Jerry Zoller; accompanied by chaperones Mr. William J. Maley, Mr. Norman E. Merrow, Mrs. Robert Baxter and Mr. Lester Shiere.

Announcement by the Chair

The Chair announced that HB 87, to allow ice fishing in Sunapee Lake, and SB 36, relating to fiduciary powers of trust companies and national banks, had been withdrawn at the request of the Committee Chairmen, without objection.

The Chair further announced that HB 40, relative to the sale of sweepstakes tickets, had been withdrawn at the request of the Committee Chairman, unless there was objection.

Senator Howard: "Mr. President, I object to HB 40 being withdrawn and ask that it remain on the Calendar."

Senator Lamontagne: "Mr. President, I also object."

There being objection, the Committee Report remained on the Calendar for the day.

House Message — First & Second Reading of Bills

The House of Representatives has passed the following entitled bills:

HB 201, to regulate width of load on passenger type motor vehicles. Referred to Public Works & Transportation.

HB 268, authorizing investment of retirement funds in cooperative banks, building and loan associations, and savings banks. Referred to Banks, Claims & Insurance.

HB 320, to prohibit the sale and use of regrooved tires. Referred to Public Works and Transportation.

The Message further stated that the House has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 61, relative to resignation of members of the General Court.

HB 126, relative to the filing of property tax inventories.

HB 149, relating to reporting the names of municipal officers.

The Message further stated that the House of Representatives has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

Senate Bill 3, An act relative to issuances of summons in matters, having considered

Introduction, First & Second Reading of Senate Bill

SB 63, providing for the forfeiture of liquor found in the possession of a minor. (Blaisdell) Referred to Liquor Laws.

Committee Reports

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 203, providing for the classification

of the surface waters of the Little River and Powwow River watersheds. Ought to pass.

Senator Tufts: "Mr. President, this is a very small body of water that lies in the towns of Kingston, Newton, Plaistow and South Hampton. It affects 29 private homes. There is not a great deal of expense involved. There was no opposition by the public at the public hearing which the Water Pollution Commission held. There was no objection in our Committee and we voted unanimously that the bill ought to pass."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 308, providing for the classification of the surface waters of the Androscoggin River watershed. Ought to pass.

Senator Tufts: "Mr. President, I would like to point out first that this is one of the planned steps of the Water Pollution Commission. Specifically, this refers just to the surface waters of the Androscoggin River watershed and not the entire stream of the river. This is a small stream in the towns of Dummer, Dalton, Wentworth's Location and a little of Berlin. At the hearing, all were in favor. No one spoke against the bill. The Committee voted the bill ought to pass."

Senator Lamontagne: "Mr. President, in 1963 session of the General Court, there was a special emergency resolution which was passed and which referred to the Water Pollution of the Androscoggin River. Therefore, this is the result of what had been promised to the federal government that the water pollution would be taken care of. The Brown Company of Berlin is in favor and therefore, I support the Committee report."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 40, relative to the sale of sweepstakes tickets. Ought to pass.

At the request of Senator Bergeron, the Clerk read the bill in full as amended.

Senator Bergeron: "Mr. President, there are a couple areas which I question in the bill. I move that further consideration of this bill be made a Special Order of Business for next Wednesday at 11:01."

Senator Riley: "Mr. President, I would like to concur with this motion as two Senators are not here today. I think this is a very important vote."

Senator Blaisdell: "Mr. President, as the Keene School District is involved, I would support the motion."

Senator Lamontagne: "Mr. President, I was in hopes that we could vote on this bill today, but I guess I would not like to take any Senatorial courtesy away from the Senators."

Senator English: "Mr. President, I am in favor of the motion. Would it be inconsistent to have the bill returned to the Judiciary Committee?"

The Chair: "The motion to commit would take precedence over the motion pending before the Senate."

Senator English: "Mr. President, I withdraw — I have no wish to delay."

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

Question being on motion of Senator Bergeron that further consideration of HB 40 be made a Special Order for Wednesday next at 11:01.

Senator Lamontagne: "Mr. President, this will be the first time in all the years that I have been in the Senate that I have gone in opposition to motion for Special Order. Personally, during the short time of the Recess, I have learned that this is only a delaying motion. Therefore, I am in opposition to the present motion for Special Order and hope that the motion will be voted down so that another motion can be introduced after this vote."

Senator Bergeron: "Mr. President, my concern is genuine. The money that is raised from this is for the schools. I understand that a technical school to be built in Berlin is coming up. In the hope of this, I made this motion."

Senator Foley: "Mr. President, our Minority leader, Senator Martel, is not here, due to a death. I think out of courtesy we should delay this until Wednesday."

Senator Lamontagne, to speak a second time: "Mr. President, I feel there is no question about it, the more revenue we can get for the local schools — we should get it — they need it. In the last session of the General Court, we worked with other Senators in trying to gain the passage of the Sweepstakes bill and the amendment for education — I introduced that amendment. I don't think now we should do this — if this motion is defeated, I will introduce another motion."

The Chair: "The subject matter is not under discussion here, but only the time that this bill might be taken up. That is the only relative matter before the Senate."

Senator Lamontagne: "The thing that I am trying to do is to iron out the remarks that have been made by Senator Bergeron. I am not doing this to criticize Senator Bergeron, but there were two Senators that put in a lot more work in passing the Sweepstakes bill — the former Senator Green and I. It was through our efforts that the bill was passed as amended by the Senate. We felt that the revenue for local schools would be of great benefit to the local officials. I personally feel that we will do better to stick with what we have said to the town people — I feel that a steady revenue is better. This is now law and therefore, we must give it a chance to work. I say that another two years is not going to hurt one bit. I am hoping that the Senate will defeat this motion in order that we may take the necessary action to protect the revenue that is now going to local education. I would ask for a Division vote."

Senator Blaisdell inquired of Senator Lamontagne: "Anything as important as this, don't you think that Wednesday is time enough? We need this in our area. We feel that if we take in a dollar, we are helping education. Will you wait until Wednesday?"

Senator Lamontagne: "I would be very happy to grant your wishes, but I have learned the reason for the delay. I have been here a long time and I know what these delays mean."

Senator Bergeron: "I feel that your remarks are aimed at me. If Senator Lamontagne has the reason for this, I wonder if he would please inform me."

The Chair: "This has gone beyond the time and place. Question on the motion pending. I notice that Senator Martel

has just come in. The question is: Shall HB 40 be made a Special Order of Business for Wednesday next at 11:01."

Senator Martel: "Mr. President, I apologize for coming in late. I am on my way for the funeral of my aunt. I am sorry not to have been here to listen to the debate on the bill. I attended the Executive session yesterday to act on it and I believe the report was a favorable one. I would never refuse to any of my colleagues any courtesy to delay action on bills unless for a very serious reason. As far as I am concerned, I would just as soon vote today — unless there is a serious reason."

At the request of Senator Blaisdell, the Chair declared a 2 minute Recess.

(Recess)

The Senate re-assembled.

Question being on motion of Senator Bergeron for Special Order on HB 40.

(Discussion ensued)

On this question, Senator Lamontagne requested a Division.

Six Senators having voted in the affirmative, and fifteen Senators having voted in the negative, the negative prevailed, and the motion for Special Order was lost.

Question now being: Shall the bill be ordered to a third reading?

Senator Lamontagne moved that the bill be indefinitely postponed, and spoke in support:

"Mr. President and Members of the Senate, when HB 47 passed the House the part that had to do with the sale of tickets read as follows, and I quote "Tickets shall also be sold in State liquor stores and may be sold by town clerks and city clerks. Said town clerks and city clerks to receive 10 per cent of the gross sales, with the exception of licensees at the race tracks and clerks in the liquor stores, others selling tickets shall be bonded to the extent of \$500." When the Sweepstakes Bill came to the Senate, it was referred to the Joint Finance and Ways and Means Committee. After due consideration, and I believe that is a mild term, the majority of the Joint Committee voted

Ought to Pass with Amendment. The majority of the Joint Committee, in their wisdom, limited the sales of tickets by the Commission to the enclosures of the race tracks and liquor stores. The Senators who amended the House Bill in the Committee were Senators who wanted the Bill passed and wanted it to work.

"As late as February 10, 1965, the Governor had this to say at his news conference. I quote 'I am satisfied with the present rate of ticket sale.' Now, Mr. President and Members of the Senate, I hated to make this motion to indefinitely postpone, but I feel that this Sweepstakes operation should continue for another two years as it has been well supervised by our present Sweepstakes Commission and Director of Sweepstakes. I, for one would not like to have towns opposing the sale of Sweepstakes tickets sell tickets in that town without their approval. In gaining support in the beginning, this was one of the objections from those who opposed the Sweepstakes and I don't feel that we should make this change at the present time.

"I don't like the idea of having tickets sold on the highway and neither do I like to see Sweepstakes tickets sold in parks. As I have said before, Sweepstakes has been operating well and I think we should leave this matter alone for the next two years, maybe the revenue will be lost, but this will have to be proven."

Senator Martel spoke in opposition to the motion: "Mr. President, I am opposed to this motion. I cannot figure out why all of a sudden all this opposition has come about. The purpose of this was opposed two years ago. This is just a matter of principle. As far as the intention of this bill, there seemed to be no strong objection voiced at the public hearing. At the executive session, I submit some of my colleagues abstained from voting. Considering similar legislation that is pending in surrounding states, we might as well go along with what the Commissioners are asking for. I will repeat what I have stated many, many times, I do not gamble myself, but I do not regard gambling as morally evil. If somebody comes here or to my home, to sell me tickets, I see nothing wrong with it. If friends come to my house, and I have money in my pocket, and we have a game of cards, I see nothing morally wrong with it. There is nothing wrong with gambling — unless carried to excess. The same is true of liquor — there is nothing wrong with liquor —

unless carried to excess. I have to commend publicly, the Director and the Commission of the Sweepstakes for performing an excellent job. We are all well aware that the general public favors this legislation. We are working to have it on the books — why tie their hands. If anybody is opposed on principle, let them get up and speak their word. I feel it is certainly no good on our part to refuse to go along with the Sweepstakes Commission. They are doing a good job in bringing in revenue. God knows how badly we need it. I would hope my colleagues would change their mind and go along with the Committee Report of ought to pass.”

Senator Tufts: “Mr. President, I have never purchased a Sweepstakes ticket, but the Judiciary Committee of which I am a member, held a public hearing and weighed the evidence and the Committee voted and brought in a report. There seems to be some difficulty here this morning which perhaps if this motion was defeated might be taken care of. I would oppose the motion for indefinite postponement.”

Senator Mitchell spoke in support of the motion: “Those of you who were here two years ago offered an amendment to this bill, stating that any town may ask the Commission — I think this has been done. I am opposed to selling tickets all over the state.”

Senator Foley: “Mr. President, the people of the state have voted for the Sweepstakes. The Governor wishes the passage of this bill. The Judiciary Committee says this bill should pass. Most in the committee wanted this bill to pass. Now, after some remarks, they are now against it. This bill will make possible programs for the handicapped and retarded children — This bill is good for the children and all people of the state of New Hampshire and I urge its passage.”

Senator Hunter: “Mr. President, all of this is very interesting. Perhaps you will remember that I discussed for three-quarters of an hour at that time. I pointed out that there would be selling of tickets everywhere if this bill was passed. I think many voted for the bill on the premise that it would not be expanded. That people may go and buy the tickets if they wished but would not be close to them in their area. Many people felt that the Sweepstakes bill gave them funds to do many things. I certainly know that the people voted three to one or four to one — that they agreed with the bill in general. I accepted the

bill because the people wanted it and the legislature passed it. (I know it was used against me in my campaign that I had voted against the bill.) I am still not favoring the sale of sweepstakes tickets, but I wish to state again that I respect the state laws. We can all make mistakes. Perhaps at some time, it can be pointed out to me that I am opposing the state law, but it is not my intention to do something other than what the state law says. Under this bill, it is going to be possible to move into family recreational areas to sell these tickets. At Hampton Beach, we have a family area. We have spent more money in advertising — not only Hampton Beach, but all of New Hampshire. We do feel that it is difficult to picture next to our Chamber of Commerce office a sales operation for Sweepstakes tickets. We had an automobile lottery at the Beach and we were asked to discontinue it and we did it, and we lost thousands of dollars by doing so. I want to agree with the proposition as presented by Senator Lamontagne in that we indefinitely postpone. There are several points I would be glad to make at any time specifically. At the moment, I will not take any more time. But I would hope that you vote to indefinitely postpone.”

Senator Riley: “If this motion is defeated, I would introduce an amendment which is the most objectionable part of this bill — in section 4.”

Senator Bergeron: “It appears to me that the discussion here is on the action taken by this body two years ago. I am sure if this was coming in this year, we would never see it.”

Question being on motion to indefinitely postpone.

(Discussion ensued)

Senator Johnson: “Mr. President, at this time, I would like to go on record as in favor of Senator Lamontagne’s motion to indefinitely postpone. This bill of course, is not a party matter as you can see by Senator Lamontagne’s opposition to it. The last session of the General Court, as a member of the House, I opposed this bill, but as Senator Hunter has said this morning, I too have taken the position very strongly that once the bill was passed, it was the law in New Hampshire and we have to do what we can to see that the law is fairly and reasonably administered. I would like to take this opportunity to state that I believe the Sweepstakes Commission has done a fine job in the operation of the Sweepstakes Commission. I have told

them this personally in appearing before the Finance Committee. The point I would like to make is that I do not feel that the bill now before us is a good law. I do not believe that parks and recreational areas where whole families gather are the place for New Hampshire to engage in the gambling business."

(Discussion ensued)

Question being on motion to indefinitely postpone.

On this question, Senator Lamontagne requested a Division.

Senator Blaisdell demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Lamontagne, Martin, Mitchell, Johnson, Gardner, Howard, Saggiotes, Gove, English, Buchanan, Waterhouse, O'Gara, and Hunter.

The following named Senators voted in the negative: Blaisdell, Riley, Rinden, Green, Martel, Bergeron, Tufts and Foley.

Thirteen Senators having voted in the affirmative, and eight Senators having voted in the negative, the affirmative prevailed, the motion to indefinitely postpone carried.

Committee Reports (continued)

Senator Martin, for the Committee on Judiciary: HB 41, prohibiting the sale of sweepstakes tickets by unauthorized persons. Ought to pass.

Senator Tufts: "Mr. President, as a member of the Judiciary Committee, I am reporting the action of the Committee. In order to maintain as much as humanly possible the proper operation of the Sweepstakes, we were advised that this bill which we have before us now was necessary because private organizations were going into the field. The Committee weighed the evidence, urged the passage of this bill in the interest of the state."

Senator Martin moved that the above entitled bill be committed to the Finance Committee.

Senator Foley inquired: "Why?"

Senator Martin stated she would defer to Senator Johnson.

Senator Johnson: "Mr. President, this bill, as you know, deals with agencies which sell Sweepstakes tickets. This, as Senator Blaisdell has pointed out, will have an effect upon the revenue. We feel that the Finance Committee should look at this legislation."

(Discussion ensued)

Senator Bergeron: "Let's act on this bill now. No need to go to Finance. This is a clear cut issue."

Senator Johnson requested a brief recess. Granted.

(Recess)

The Senate re-assembled.

Senator Johnson: "Mr. President, in deference to Senators Lamontagne, Foley, Riley, Bergeron and Blaisdell, for whom we have the highest regard, after consideration, the members of the Senate Finance Committee are very happy to state that if the Senate wishes to vote on HB 41 today, that will be fine. You will hear a loud vote in passage from this Senator."

Senator Martin: "I withdraw my motion to refer the above bill to the Finance Committee.

The bill was ordered to a third reading.

Committee Reports (continued)

Senator Rinden, for the Committee on Judiciary: SB 38, relating to the salaries of special justices of the district courts. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Salaries of Special Justices. Amend paragraph II of RSA 502 A:6 (supp), as inserted by 1963, 331:1, by striking out in line two of said paragraph the figure "30%" and inserting in place thereof the following, 40%, so that said paragraph as amended shall read as follows: II. SPECIAL JUSTICES. The annual salaries of special justices of the district court shall be as follows: Not less than 10% nor more than 40% of the salary

of the justice in each district as the local governing body of the city or town in which the court is located may vote.

The special justices in other cities and towns and the justice of peace requested to sit owing to the disqualifications of the justice and special justice, shall be paid from the treasury of the city or town wherein said court is located, twenty dollars a day for each day or part thereof that he shall serve in said capacity.

Senator Johnson: "Mr. President, this bill is the third in a series relating to district court bills. Under the original bill, a town could spend for the special justices between 10 and 30%. We have had requests from some towns who feel that 30% is too low and they asked that it be increased to 40%. It provides that the salary shall be at the town's discretion."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: SB 53, relating to construction and interpretation of wills. Ought to pass.

Senator Rinden: "Mr. President, this bill simply gives the probate court concurrent jurisdiction with the supreme court in the interpretation of wills. As it is now, there is some question if it is necessary to file a bill of equity in supreme court. This causes a delay of perhaps six months or one year. They may call upon the judge of probate to interpret if they please."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: SB 55, relating to justices of district courts serving full time becoming judicial referees upon retirement. Ought to pass.

Senator Johnson: "Mr. President, the purpose of this bill is to give the justices of the district courts who are full time, the same status upon their retirement as a member of superior or supreme court."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 7, discontinuing the Portsmouth term of the superior court. Ought to pass.

Senator Tufts: "Mr. President, Rockingham County is building a new court house. They once had court houses in Derry, Exeter and Portsmouth. The new building is in Exeter. The Derry court house has been discontinued and this is merely the legal closing of the Portsmouth court house. The term will be completed in Portsmouth so this act merely strikes out the words, County of Rockingham and Portsmouth. Hereafter, it will be held in Exeter."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 204, prohibiting a daughter from marrying her father. Ought to pass.

Senator Rinden: "Mr. President, this bill is directed toward amending the statutes setting forth prohibited degrees of marriage. As the law is now, the words 'her father' are not in the law which sets forth the various degrees as prohibited."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 11, to authorize liens on real property owned by persons who receive support from towns. Ought to pass.

Senator Rinden: "Mr. President, this simply gives the towns which extend money for the relief of paupers or who pay money out for other charitable purposes, a lien on the property of those who are assisted so that the town can recoup the money advanced."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 12, to authorize liens on real property owned by county paupers. Ought to pass.

Senator Rinden: "Mr. President, this is a companion bill to HB 11 and does exactly the same thing for counties where they extend relief, it gives them a lien and gives them an opportunity to recoup the money spent."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 216, for the relief of widows and orphans. Ought to pass.

Senator Rinden: "Mr. President, this is a bill to permit a testator to name spouse or lineal descendent to represent the

interests of unborn persons or persons after his death. This is kind of a technical little bill, but has a lot of common sense to it. This was sponsored by Representative Bingham in the House, but the lawyer who was behind this bill is Attorney Dudley Orr of Concord who has had a great deal of experience in this area and who had a particular case in mind where a relative died and a trusteeship was set up. It was all in the family and there was no need to have a guardian appointed. In order to avoid that, this bill has been introduced."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 47, relative to increase in fish and game licenses. Report the same under Joint Rule No. 6 with the following amendment and commend that the bill as amended ought to pass:

Amend section 4 of the bill by striking out the first two lines and inserting in place thereof the following:

4 Non-Resident Fishing Licenses. Amend paragraph VIII of RSA 214:9 as amended by 1955, 324:1 and 1961, 32:2 by striking out said paragraph and inserting in

The Senate voted to adopt the report of the committee.

Senator Martin, for the Committee on Engrossed Bills: HB 253, relating to reports of examinations made by the banking department. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend the bill by striking out the first three lines and inserting in place thereof the following:

1 Examination of Banking Institutions. Amend RSA 383 by inserting after 383:10-a (supp) as inserted by 1959, 199:7 the following new section: 383:10-b Confidential Information. All records of investigations and

The Senate voted to adopt the report of the committee.

Introduction of Guests

The President welcomed to the Senate, the members of the Sophomore Class from Hanover High school with Mr. William Murphy with them as their instructor.

Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 61 An Act relative to resignation of members of the general court.

HB 126 An Act relating to the filing of property tax inventories.

HB 149 An Act relating to reporting the names of municipal officers.

Paul Provost
For the Committee

The report was accepted.

House Message — Bill Read a First & Second Time

Mr. President:

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

HB 17, relating to organization of certain educational corporations. Referred to Education.

Bill Recalled from the Governor

On motion of Senator Buchanan, the Senate voted to recall the following entitled bill:

HB 134, relating to capital required to organize insurance companies.

On motion of the same Senator, the Senate voted to reconsider its action whereby the bill was passed and ordered to a third reading.

The bill now being on its second reading, Senator Buchanan offered the following amendment and explained same:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Capital Required. Amend RSA 401:4 by striking out the same and inserting in place thereof the following: 401:4 Paid-up Capital. All stock companies organized under the provisions of this chapter shall have a paid-up capital of at least four hundred thousand dollars, excepting title guarantee insurance com-

panies which shall have a paid-up capital of at least two hundred thousand dollars.

On motion of Senator Buchanan, the amendment was adopted and the bill as amended was ordered to a third reading.

Introduction of Guests

As the guest of Senator Blaisdell, Mr. Robert Preston of Hampton.

As the guest of Senator Hunter, Mr. Bud Randall of Hampton.

Ruling by the President

The Chair announced that he had requested the Clerk to hold for 24 hours any legislation passed by the Senate, unless otherwise ordered by the Senate, in case the need of re-consideration might arise.

Senator Foley inquired: "Mr. President, if a bill is voted as indefinitely postponed, what does this mean?"

The Chair: "The bill cannot be considered for the balance of the session. The subject matter is killed."

Introduction of Guest

Senator Martel introduced to the Senate, his sister, Mrs. Yvonne Gamache of Manchester.

Senator Lamontagne: "Mr. President, I have talked this matter over with Senators Johnson and Martel, relative to reconsidering our vote on HB 41. The reason for this, I would like to offer an amendment that the takes effect date be on its passage."

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Lamontagne, the Senate voted to reconsider its vote on HB 41.

The bill being on its second reading, Senator Lamontagne offered the following amendment:

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Takes Effect. This act shall take effect 10 days after its passage.

Senator Lamontagne: "Mr. President, the reason I am offering this amendment is because 60 days would take us into the middle of the summer. It was felt that the first thing to do was to give these people a notice that it will be against the law for them to operate any more. I agreed to 10 days after passage."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Introduction of Guests

As the guests of Senator Bergeron, Mayor Edgerly of Rochester, Mr. Chick and Conrad Gagnon.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

HB 7, discontinuing the Portsmouth term of the superior court.

HB 11, to authorize liens on real property owned by persons who receive support from towns.

HB 12, to authorize liens on real property owned by county paupers.

HB 41, prohibiting the sale of sweepstakes tickets by unauthorized persons.

HB 134, relating to capital required to organize insurance companies.

HB 203, providing for the classification of the surface waters of the Little River and Powwow River watersheds.

HB 204, prohibiting a daughter from marrying her father.

HB 216, for the relief of widows and orphans.

HB 308, providing for the classification of the surface waters of the Androscoggin River watershed.

SB 38, relating to the salaries of special justices of the district court.

SB 53, relating to construction and interpretation of wills.

SB 55, relating to justices of district courts serving full time becoming judicial referees upon retirement.

On motion of Senator Provost, the Senate adjourned at 1:35 p. m.

THURSDAY, April 1, 1965

The Senate met according to adjournment.

Senator Mitchell, District No. 3, presiding.

A quorum was present.

Leaves of Absence

Senator Paquette was granted Leave of Absence because of illness.

Introduction of Guests

As the guests of Senator Gove, his sister-in-law and husband, Mr. and Mrs. Nick Buskirk of Escondido, California.

As the guest of Senator Lamontagne, Mr. Eli A. Marcoux of Concord, former resident of Berlin, past department Commander and former National Committeeman of American Legion and recently retired as Manager of the Concord, New Hampshire district office of Social Security, and who has recently returned from a trip around the world.

As the guests of Senator English, pupils from Fitzwilliam school accompanied by their teacher.

House Message — First & Second Reading of Bills

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

HB 63, to authorize the layout of right of way, the acquisition of land and right of way, and the engineering for a high level Portsmouth-Kittery Bridge. Referred to Public Works & Transportation.

HB 178, relative to hunting and fishing licenses. Referred to Fisheries & Game.

HB 179, relating to unincorporated places. Referred to Executive Depts., Municipal & County Government.

HB 180, relative to non-resident hunting licenses. Referred to Fisheries & Game.

HB 312, to increase the limit of investments of a bank in its banking building. Referred to Banks, Claims & Insurance.

HB 325, relative to early land acquisition by Lebanon Housing Authority. Referred to Executive Depts., Municipal & County Government.

HB 342, relative to advertising of alcoholic beverages. Referred to Committee on Liquor Laws.

HB 347, requiring the posting of abatements in the invoice book on file with the town clerk. Referred to Executive Depts., Municipal & County Government.

HB 419, legalizing and confirming certain actions and proceedings in the town of Charlestown. Referred to Committee on Executive Depts., Municipal & County Government.

HB 162, providing for reimbursement of loss of taxes on federal and state owned forest lands. Referred to Ways & Means.

HB 170, to increase the public revenue from the tax on tobacco. Referred to Ways & Means.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 218, authorizing state banking institutions to act as fiscal agents of the United States.

HB 44, relative to political expenditures by special committees.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bill;

HB 200, relative to unemployment trust funds.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 5, relative to appointment and salaries of court stenographers.

The Message further stated that the House has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Honorable Senate:

**Concurrent Resolution applying to the Congress to call
a convention for the purpose of proposing an amendment
to the Constitution of the United States.**

Resolved by the House of Representatives, the Senate Concurring,

That this Legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

“ARTICLE—

“Section 1. Nothing in this Constitution shall prohibit any state which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that state.

“Section 2. Nothing in this Constitution shall restrict or limit a state in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

“Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.”

Be it Further Resolved that if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect.

Be it Further Resolved that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

The above Concurrent Resolution was adopted.

Introduction of Guests

Senator Howard welcomed to the Senate, the Freshman class of the Franklin High School, Class of 1968, both downstairs and in the gallery, and their class President Frank Bushman, and four teachers, Miss M. June Dolloff, Mrs. Elizabeth Miller, Mr. John Downs and Mr. John Stevens: Gail Ackerman, Lorraine Aldo, Andrew Barnum, Diane Barton, Mary Beach, Shirley Beaupre, Warren Bell, David Belliveau, Stephen Benedict, Nancy Benson, Paul Bergeron, Glenna Berube, Janet Brailey, Claude Braley, Earl Braley, Susan Braley, Robert Burns, Frank Bushman, Gayle Butler, Patricia Calley, Robert Carpenter, Linda Champion, Laurene Clogston, Harriet Coates, Kathleen Conner, Rachel Cote, Robert Davidson, James Delaney, Elizabeth Dion, Lawrence Dion, Susan Dodge, Raymond Dow, Janice Dube, Carol Duhamel, David Duncan, Susan Dunford, Christopher Edmunds, Bruce Elliott, Starette Feuerstein, Ann Finnie, Bruce Fraser, David Fredette, Mary Fredette, George French, Andrea Garneau, Ann Gilchrist, Dolores Gilpatric, George Glines, Roger Gloddy, Jane Goyette, Jeff Gulick, Lora Hamel, Ginger Hannan, Glen Harvey, Marilyn Heath, Donald Hebert, Paul Hebert, Charlotte Hersey, Cheryl Hollenbeck, Linda Houle, Timothy Howe, Jon Jacobs, Carol Joyce, Wayne Kaneen, Kathleen Keegan, Daniel Keith, Robert Kelley, Stephen Kelley, Lee Keyser, Roger Kidder, Brenda Kimball, Larry Kimball, Glenna King, Kathleen Kollar, Linda Kreutz, James Kulacz, Kathryn Kulacz, Michael LaBranche, John Landry, Glenn Laramie, Carl LaRoche, Kenneth Larivee, Paul LeBlanc, Dennis Lorden, Linda Lorden, Roberta Lorden, Linda Marsh, John Martin, William Martin, John McDonald, Kenneth McDonald, Lynne McNabb, Kathleen

Miller, Mary Miner, Sharon Nixon, Carol Novak, David Orpin, Andre Parenteau, Dale Parris, Robert Pepler, Jeanne Perreault, Laurice Perreault, Marie Perreault, Frances Piroso, Carol Plizga, Karen Rayno, Richard Rayno, Charles Reed, Denise Ribberdy, Linda Ricketts, Dorothy Robie, Joel Robinson, Patricia Sansfacon, Cheryl Sargent, Christopher Sargent, Douglas Sargent, Joan Shaw, Bruce Sirard, Richard Smith, Robert Smith, Joseph Sokul, Suzanne Sokul, Jennifer Stanghellini, Jean Stavro, Janice Stein, Donald Tenteris, Gloria Tessier, Harold Therrien, Roselyn Thisell, Deborah Tibbets, Maria Tilton, Mark Trachy, Lanna Twombly, George Underhill, Ann Walter, Jill Whitehead, Ruth Wilcox, Linda Willard, Larry Wilson, Bruce Woodward, David Yeo.

Introduction, First & Second Reading of Bills

SB 64, relative to the practice of architecture. (Buchanan) Referred to Executive Depts., Municipal & County Government.

SB 65, relative to larceny of rented motor vehicles. (La-montagne — Rules) Referred to Public Works & Transportation.

Committee Reports

Senator English, for the Committee on Education: HB 17, relative to organization of certain educational corporations. Ought to pass with amendment:

Amend said bill by inserting after RSA 292:8-j as inserted by section 1 of said bill the following:

292:8-k Exception. The provisions of this sub-division shall not apply to a corporation organized pursuant to the authority of RSA 292-A.

Further amend the bill by inserting after section 1 the following new sections:

2 Community College Courses. Amend RSA 292-A (supp) as inserted by 1961, 155:1 by inserting at the end thereof the following new section: 292-A:7 Equivalency Courses. The coordinating board of advanced education and accreditation established by RSA 186:13-a may, upon application by any community college and upon finding that any course established by

such college is taught by a qualified instructor and that the subject matter is of such a character as to meet its requirements, approve such course and designate it as the equivalent of a like course given by an approved higher education corporation.

Further amend the bill by renumbering section 2 to read section 3.

* * *

At the request of Senator English, the Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

Senator Lamprey presiding.

Committee Reports (continued)

Senator Gardner, for the Committee on Public Health, Welfare & State Institutions: HB 16, requiring a phenylketonuria test of new born children. Ought to pass.

Senator Gardner: "Mr. President, Phenylketonuria is a disease caused by an imbalance of acids in the human system.

"The Guthrie test is a blood test to detect the presence of this abnormal condition.

"It is very important to test new born babies to get an early diagnosis as this disease causes brain damage. Once this damage has occurred it can not be repaired. Treatment is by diet to correct this abnormal condition. Lack of early diagnosis and treatment increases mental retardation.

"The committee realizing the dire results from lack of early diagnosis and treatment recommends HB 16 as amended in the House — Ought to Pass.

"The Governor has approved funds for the PKU program in the Department of Health budget."

The bill was ordered to a third reading.

Senator Mitchell, for the Committee on Liquor Laws: HB 67, relative to the sale of liquor by certain golf clubs. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Sale of Liquor. Amend RSA 176:11, as amended by 1963, 50:1 and 158:3 by inserting in line six after the numeral "3" the numerals, 3-a, 3-c; further amend said section by inserting in line six after the numeral "7" the numeral, 8; further amend said section by inserting in line eight after the numeral "3" the numeral, 3-a, so that said section as amended shall read as follows: 176:11 Rules and Regulations; Restrictions on Sales. Said commission shall have power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays or election day while the polls are open except by persons holding licenses or permits under the provisions of RSA 178:3, 3-a, 3-c, 4, 6, 7, 8, 9, RSA 181:5, provided that persons holding licenses under the provisions of RSA 178:3, 3-a when making sales of beverages on Sundays or election days while the polls are open shall sell only to bona fide guests with meals in the dining room or in the rooms of guests and except that a wholesale permittee may sell and deliver beverages at any time on election days for resale only. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end or that are more than forty-two inches high are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the commission.

On motion of Senator Mitchell, the reading of the amendment was dispensed with.

Senator Mitchell: "Mr. President, in this original bill — the title is a little misleading. It also includes several other reasons which would allow them to sell on Sunday and on election days. There was no opposition at the hearing and therefore, the Committee recommends that the bill ought to pass with amendment. The amendment has to do with section 178:3. As I have said, there was no opposition at the hearing and the Committee voted that the bill ought to pass as amended."

Senator Riley inquired: "What was the intent of the original bill?"

Senator Mitchell: "It allows every place that has a license to sell liquor and beer to sell on Sundays and election days."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator English, for the Committee on Education: HB 17, relative to organization of certain educational corporations. Ought to pass with amendment. (amendment printed previously before Recess)

Senator English: "Mr. President, HB 17 as amended in the House extends and clarifies the powers of the Coordinating Board of Advanced Education and Accreditation. Principally, it provides (1) steps to be taken by a new college prior to receiving articles of incorporation; (2) that degree granting be only by Legislative approval; (3) definition of the term 'college.' This will assist the Legislature in determining the right thing to do in the case of a new and necessarily struggling institution of higher learning.

"There is a Senate amendment attached which provides that the Coordinating Board, upon ascertaining that a course, given by a community college is taught by a qualified instructor and embraces subject matter of suitable quality, may be approved and designated as the equivalent of a course given by an approved institution of higher education."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator English, the rules were so far suspended as to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 17, relative to organization of certain educational corporations.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 218, An Act authorizing state banking institutions to act as fiscal agents of the United States.

SB 3, An Act relative to issuance of summons in criminal matters.

HB 18, An Act relative to accrediting out-of-state institutions of higher learning.

HB 249, An Act relating to the closing date for articles to be submitted for the school district warrant.

Eda C. Martin
For the Committee

The report was accepted.

The Chair recognized Senator Johnson: "Mr. President, I would like to speak this morning relative to a report in this morning's newspaper on facts and figures involving the Sweepstakes. This morning's paper from Manchester, on Page 16, reported that Director of the Sweepstakes Powers said that the defeat of the bill yesterday will cost the cities and towns over a million dollars in the next two years. In other words, we have on record now an estimate by the Director of the Sweepstakes that there would be a one million dollar loss to cities and towns for the next two years, or \$500,000 for each of the years in the next biennium. I would like to refer to other proceedings that have gone on before this Senate so as to check the accuracy of the statement made yesterday in the press. I would turn first of all to the transcript of hearings before the Senate Finance Committee, dated March 10, 1965. The witness at this time was Mr. Shepard who is the Chairman of the Sweepstakes Commission. He testified:

"On the question of new outlets — House Bill 40. We figure equipment would cost us \$6600 and state owned automobile operation \$720 and we would want to increase that figure. The temporary help should be increased, — under OTHER PERS. SERVICES — to \$15,000, making a total of \$22,320, if House Bill 40 went through. We figure the increase in ticket sales would amount to 80,000 tickets or a gross of \$240,000. This is very conservative.

I would like my fellow Senators, if you would do some figuring with me on a pad of paper. The Chairman estimates annual gross sales of \$240,000. You therefore begin with a gross sales of \$240,000, but, of course, you must subtract out those funds which are given for prizes — which is 35% or \$84,000, leaving a total after prizes paid out of \$156,000. Of course, you must subtract out the overhead costs which Mr. Shepard sets at \$22,320. That brings me to \$133,680. Once again, you must sub-

tract out the federal tax of \$24,000. This brings me then to a total net available to the towns & cities of \$109,680 per annum. The total available if the bill had passed to cities and towns of New Hampshire would be \$109,680 per year. Keep in mind that figure for prizes was set at 35%. If they sell more than 3 million tickets the amount will increase to 40% and you have less profit. If you double this figure for the biennium you have approximately \$218,000. This is the estimate of Sweepstakes Chairman Shepard. Mr. Powers estimated yesterday a figure nearly five times as great as Mr. Shepard has. I think the record speaks for itself.

"One final thing, I have here a document which was given to me by a member of the Senate, and shown to many Senators yesterday by the Chairman of the Sweepstakes Commission. This document lists towns and proposed figures and the district in which the town is located. At the bottom of this document, you will find the following sentence:

THIS IS THE ESTIMATED AMOUNT OF MONEY
THAT THE ABOVE MENTIONED CITIES AND
TOWNS WILL RECEIVE AS A RESULT OF THE
ADDITIONAL SALES OUTLETS FOR SWEEPSTAKES
TICKETS WHICH HB 40 WOULD AUTHORIZE.

In other words, the clear statement is that these towns and cities would receive so much money if HB 40 goes through. Take the town of Littleton—\$1,938. The Senator from that District was told that her home town of Littleton would lose \$1,938 if she voted against the bill. This is not true. Based on Mr. Shepard's figures the entire second district would lose \$1,938, not just Littleton.

"So, in review, and only to set the record straight, we have a statement by Mr. Powers that the cities and towns would lose 1 million per biennium. We have the testimony on March 10th by the Chairman of the Sweepstakes Commission that the loss to the cities and towns would be \$218,000 per biennium. I think the record speaks for itself."

Senator Foley: "Mr. President, yesterday we defeated this bill. I don't know whether this is a guilty conscience or not. The bill was defeated. There will be a great deal of money lost—perhaps only one teacher in a town—but we would have gained by the passage of the bill yesterday. But one guidance teacher

would have helped a great deal. This was defeated yesterday. I know that estimates made by one or two people can vary. In the time that I have been here—I know that a great many figures have been changed—too high or too little. We will never know what the figures might have been. It was defeated. It was a slap in the face to the people of this State, a slap in the face to education, and a slap in the face of the people next door. Actually, the Republicans passed it. It was a great measure.”

Senator Lamontagne: “Mr. President, and members of the Senate, I am sure that my conscience did not bother me for the motion that I made yesterday.

“I wish to enter into the records that the Republican Leadership had absolutely nothing to do with the motion I made yesterday on House Bill No. 40 and 41 with the amendment presented before the Senate, and which was adopted.

“Before the 1965 General Court reconvened I made a statement to Frank O’Neil and it was printed in the Manchester Union and other newspapers that I was strongly in opposition to the proposal of selling Sweepstake tickets as mentioned in House Bill No. 40. I also was on record favoring banning of agents as of House Bill No. 41. I hope that this information clarifies the issue that I was not influenced by anyone. And much thought was given to this matter before making a decision.”

The Chair: “I am sure the issue is well clarified.”

Senator Blaisdell: “You have said that we would have been \$218,000 richer if the bill had passed yesterday. I said yesterday that if we only had \$1 more for education in this state—I would be for it. If the bill had passed, we would have had the money. I will take Mr. Powers’ estimate. If we only sold one more ticket, I would have been for it and I am still for it. I think it is a disgrace that we did not pass that bill.”

Senator Riley: “Under personal privilege, in this expansion of sales of Sweepstakes tickets, I feel that it is very bad that we killed the bill yesterday. The bill was badly needed and with other states passing legislation for Sweepstakes we needed these other outlets to compete with them. In my business, I run a small hotel and I have many inquiries regarding as to where they can buy Sweepstake tickets. I only have a 6 unit

hotel and I can just imagine what we will lose in ticket sales. I think it was very bad that we did not pass the bill. Children like these here today would have benefitted."

On motion of Senator Buchanan, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

HB 16, requiring a phenylketonuria test of new born children.

HB 67, relative to the sale of liquor by certain golf clubs.

On motion of Senator Saggiotes, the Senate adjourned at 12:35 p.m., to meet next Tuesday morning at 11 o'clock.

TUESDAY, April 6, 1965

The Senate met according to adjournment.

Senator Saggiotes, District No. 8, presiding.

A quorum was present.

Leave of Absence

Senator Martin was granted leave of absence for the day.

House Message — First & Second Reading of Bills

The House of Representatives has passed the following entitled bills:

HB 100, relating to payment of veterans' burial expenses. Referred to Military & Veterans Affairs.

HB 116, redefining a World War I veteran in connection with claim for burial expenses. Referred to Military & Veterans Affairs.

HB 234, relative to the right of public utilities to enter upon land. Referred to Judiciary.

HB 239, to increase the penalty for aggravated assault. Referred to Judiciary.

HB 293, to make available appropriate non-judicial punishment to members of the New Hampshire National Guard. Referred to Military & Veterans Affairs.

HB 328, abating interest on taxes if the tax bills are not timely sent. Referred to Executive Depts., Municipal & County Government.

HB 431, relative to bonded indebtedness of the town of Peterborough for waterworks. Referred to Executive Depts., Municipal & County Government.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bill:

HB 17, relative to organization of certain educational institutions.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill, sent down from the Senate:

SB 7, relative to the powers of the ballot-law commission.

The Message also stated that the House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

CONCURRENT RESOLUTION

relating to our First Aid Nurse, Albertine L. Bourgault, R.N.

Whereas, Albertine L. Bourgault, R.N. has served the General Court for several years as First Aid Nurse in a very efficient and pleasant manner and has rendered valuable service in this capacity, and

Whereas, a proposed rearrangement of space in the basement of the state house will require a change in location of the First Aid room, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that we, the Members of the General Court, hereby express our appreciation of Mrs. Bourgault's contributions to our welfare as a First Aid Nurse, and be it further

Resolved, that the present First Aid quarters will be maintained until another suitable location is approved by the General Court.

On motion of Senator Johnson, the Senate voted to concur in the adoption of the above Concurrent Resolution.

Introduction, First & Second Reading of Senate Bill

SB 66, entering into the interstate compact on the placement of children enacting the same into law and for related purposes. (Gardner) Referred to Public Health, Welfare & State Institutions.

Committee Report

Senator Lamprey, for the Committee on Finance: SJR 6, in favor of Eva Tenofsky. Inexpedient to legislate.

Senator Johnson: "Mr. President, this is a special act, a case of a lady whose husband was injured in the National Guard. The resolution was to give this lady, who has no benefits left at this time, special benefit from state finances. It was the feeling of the Committee that to establish this precedence at this time would be a mistake, and therefore, it was recommended that the bill not pass."

The recommendation of the Committee, Inexpedient to Legislate, was adopted.

Senators Blaisdell and Foley desired to be recorded as voting in opposition.

Engrossed Bills

Senator Provost, for the Committee on Engrossed Bills: HB 216, for the relief of widows and orphans, report the same under Joint Rule No. 6 with the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to power of testators to designate
representatives for unknown beneficiaries.

Amend section 1 of the bill by striking out the first four lines and inserting in place thereof the following:

1 Nomination of Representatives. Amend RSA 553 by inserting after section 12 the following new section: 553:12-a Nomination of Person to

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Provost, for the Committee on Engrossed Bills: HB 200, relative to unemployment compensation trust funds, report the same under Joint Rule No. 6 with the following amendment:

Amend section 3 of said bill by striking out the first five lines and inserting in place thereof the following:

3 Reciprocal Arrangements. Amend subparagraph (5) of paragraph A of RSA 282:16 (supp) as inserted by 1963, 194:11 by striking out the same and inserting in place thereof the following: (5) The said department may administer

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Personal Privilege

Senator Johnson, under Personal Privilege: "Mr. President, I wish to make the following statement relative to SB 33:

"When I was elected Chairman of the Republican Party in January of this year I found a plan for a so-called political yearbook was underway and that \$7,000 had been collected from advertisers for this purpose.

"A search of the law indicated substantial doubt as to the legality of proceeding with this project. Present statutes forbid corporations from making contributions directly or indirectly to a political party.

"While I personally may have chosen other means to raise money for the Republican Party, there was an obligation to carry out the fund raising policy and programs already underway. Since this could only be done legally by a change in the law, a bill was introduced in January to amend the law and permit yearbooks. The simple argument that has been advanced in its favor is that it gives equality in fund raising to both parties.

"The money which has been collected is a fund which our party has held in trust for a considerable period of time. We cannot continue in good conscience to hold these funds while the pending bill becomes a political football in the hands of Representatives Craig and Hancock. Therefore, unless the bill clears the House in a reasonably short period of time, our party has no alternative but to return the money to the advertisers with an appropriate explanation."

Senator Foley inquired of Senator Johnson: "I went back over the records when I learned what had been done in the other room. Why was the bill referred to Finance Committee in the beginning, or was it?"

Senator Johnson: "It was referred to the Finance Committee by the President of the Senate."

Senator Foley: "Why? It had nothing to do with state funds. Why did it not go to the Committee on Executive Departments as it did in the House?"

Senator Johnson: "I don't know why they put it over there. The bill came to the floor and I gave a full explanation of the bill and I believe that any Senator had a chance at that time to ask questions. I will be happy to answer any questions that you may have now about the bill."

Senator Foley: "I wondered if you knew. I have no quarrel."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

On motion of Senator Bergeron, the Senate adjourned at 11:32 a.m.

WEDNESDAY, April 7, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guest

As the guest of Senator Blaisdell, District No. 10, his wife, Peggy.

House Message — First & Second Reading of Bills

HB 217, to reclassify a class V highway in the town of Walpole to a class II highway. Referred to Public Works and Transportation.

HB 223, to regulate extension of operators' licenses of members of armed forces during a war. Referred to Public Works and Transportation.

HB 316, to change the law regulating by-laws and meetings of credit unions. Referred to Banks, Claims and Insurance.

HB 425, legalizing the proceedings at the annual town meeting held in the town of Plainfield on March 9, 1965. Referred to Executive Depts., Municipal & County Government.

HB 430, legalizing the proceedings at the regular meeting of the Enfield fire district on March 10, 1965. Referred to Executive Depts., Municipal & County Government.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 47, relative to increase in fish and game licenses.

HB 253, relating to reports of examination made by the banking department.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 10, providing for immunity from liability in emergency cases.

SB 14, to change the labeling requirements of agricultural seeds.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 41, prohibiting the sale of Sweepstakes tickets by unauthorized persons.

HB 67, relative to the sale of liquor by certain golf clubs.

HB 134, relating to capital required to organize insurance companies.

The Message further stated that the House has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution

memorializing Congress in the passage of H. R. 6678 to establish a national cemetery in New England

Whereas, H. R. 6678 has been introduced into the United States House of Representatives by Congressman James C. Cleveland of New Hampshire, therefore be it

Resolved by the House of Representatives, the Senate concurring:

That we, the Members of the 1965 General Court of New Hampshire, do hereby memorialize Congress in the passage of the above stated bill, with the request that the cemetery be located in New Hampshire, and be it further

Resolved, that a copy of these Resolutions be forwarded to the Senate and House of Representatives of the United States and to our senators and representatives in Congress.

On motion of Senator Johnson, the Senate voted to concur in the adoption of the above Concurrent Resolution.

Introduction of Guests

As the guests of Senator O'Gara, eighteen students from the Deerfield Elementary School 4th grade accompanied by two younger sisters of the students, and the teachers.

Introduction, First & Second Reading of Senate Bills

SB 67, relative to retirement benefits for officials and employees of the League of New Hampshire Arts and Crafts. (Gove) Referred to Executive Depts., Municipal & County Government.

SB 68, increasing the amount of pension towns may grant to certain firemen, police officers, or constables. (Riley) Referred to Executive Depts., Municipal & County Government.

SB 69, relating to summary judgment. (Rinden) Referred to Judiciary.

On motion of Senator Buchanan, the Senate voted that hereafter in the introduction of Senate Bills, the name of the sponsor would be read.

Committee Reports

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Government: HB 166, relating to towns and cities incurring indebtedness to pay for reappraisals. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced at the request of the Tax Commission. It so happens that many communities, cities and towns, employ outside appraiser firms to do a professional job in reappraising a community. Under the present law, this has to be paid for in one year. This makes it a burdensome increase in the tax rate. This bill would allow cities or towns to sell bonds for not more than five years over which they can spread the cost of this one year reappraisal. This will be encouraging to the several towns and cities who wish to have this reappraisal done, but have been reluctant to do so under the present law of one year. The bill has the recommendation of the Tax Commission."

Senator English: "Senator, can you clear up the situation, I believe the Tax Commission will make this reappraisal?"

Senator Buchanan: "That is true. The Tax Commission will do this, but as I understand it, the Tax Commission does not reappraise in all cases. This also provides for the mapping of a town."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Government: HB 174, relative to annual payments to firemen's retirement board by call firemen. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced by the Firemen's Retirement Board Trustees, of which Insurance Commissioner Knowlton is at least a member, if not the Chairman. It will increase the dues, or premiums, or taxes, whatever they are called, by call firemen who are included in this provision. It will increase it from \$6 a year to \$12 a year. There are certain benefits that accrue to call firemen who are killed or injured in line of duty. The present premium that they are charged is insufficient to carry it and this is simply to make the thing actuarially self-sustaining."

The bill was ordered to a third reading.

Introduction of Guests

As the guests of Senator Rinden, a group of students from the Dame School accompanied by their teacher, Mrs. Maurice Mullen. Mrs. Mullen is a Gold Star Mother and was recently named Mother of the Year. Mrs. Mullen expressed her sincere thanks and appreciation for the recent Resolution on this occasion which was introduced by Senator Howard and adopted by the Senate.

Committee Reports (continued)

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Government: HB 208, to provide for licensing on odd numbered years. Ought to pass.

Senator Buchanan: "Mr. President, this is the bill with the strange title which everybody asks me 'what are you licensing?' We are licensing chiropractors. This is a housekeeping bill. In 1963, the Legislature provided for licensing every other year. Dr. Weiner was not aware of this two year provision. This is relatively simple, but it will save the state a little money if it passes."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Government: HB 431, relative to bonded indebtedness of the town of Peterborough for water-works. Ought to pass.

Senator Buchanan: "Mr. President, the town of Peterborough has had a municipal water system for many years. The situation of the Peterborough Water Department is rather desperate. Much work is needed to be done. The limit of its bonded indebtedness must be extended. Unless this is done, the fire insurance rates in this town will be increased. This does not burden the town in any way. The payment of the bonds and the bonding service is borne by the Water Works. This passed the Peterborough town meeting earlier this year, practically unanimous."

Senator English: "Mr. President, I would like to thank the Chairman and the Committee for the expeditious handling of this bill. It is very much appreciated."

The bill was ordered to a third reading.

Senator Green, for the Manchester Delegation Special Committee: SB 25, providing for more than one deputy city clerk for the city of Manchester. Ought to pass.

Senator Green: "Mr. President, the city clerk is empowered to appoint as deputies, two employees of his office who shall be known as deputy city clerks with power to perform all duties of the city clerk in his absence or disability."

Senator Provost: "Mr. President, there was no opposition at the hearing."

The bill was ordered to a third reading.

Senator Green, for the Manchester Delegation Special Committee: SB 26, changing the date of primary elections in the city of Manchester. Ought to pass.

Senator Green: "Mr. President, the primary date shall be changed from the second Tuesday to the first Tuesday so it cannot fall on Columbus Day, which is a legal holiday."

Senator Martel: "There was no opposition at the hearing."

The bill was ordered to a third reading.

Senator Hunter, for a Majority of the Committee on Fisheries & Game: HB 87, to allow ice fishing on Sunapee Lake. Inexpedient to legislate.

Senator Blaisdell, for a Minority of the Committee on Fisheries & Game: HB 87, to allow ice fishing on Sunapee Lake. Ought to pass.

Senator Hunter: "Mr. President, the hearing on this bill was well attended. The House committee reported the bill as inexpedient to legislate, but the report was overturned on the floor. The Senate Committee recommends that the bill be reported as inexpedient to legislate, for the reason that the number of people present were largely against the bill. Mr. Carpenter and Mr. Cram of the Fish & Game Department believe that it should be reported as inexpedient. Having nothing further to offer than direct information, I think the bill should be reported, and should be accepted by the Senate, as inexpedient to legislate."

Senator Blaisdell moved that the report of the Minority be substituted for that of the Majority and spoke in support: "Mr. President, I also attended the hearing and although I do not wish to dispute Senator Hunter, for whom I have the highest regard, I would dispute what he said about Mr. Carpenter and Mr. Cram. I would also state that the people who attended these hearings were people who own property at Lake Sunapee. The average working man is not as fortunate as to be able to get out during the day and attend these hearings. They were not informed about the public hearing — they were told that they would be advised and they were not. The House has passed this bill over the inexpedient report. We have also increased fishing licenses of late. The two main reasons that the property owners brought out were, first, open fires. The amendment to the bill states that these fires are only by use of charcoal grills. I think this is a reasonable amendment. The second objection was the talk about pollution. No bob houses are allowed. You will be able to see the men out there fishing. It is pretty cold out there and I don't think they are going to do anything wrong. These men are just asking for a trial to do this. They feel if the bill passes that they will be put on a trial basis to prove that nothing harmful will be done. These are just average working people. I see no harm in this bill. Pollu-

tion — I don't think this is any problem. They ice fish at Lake Massabesic which is a reservoir for Manchester. I have no quarrel with any Senator on the Committee, but I do think that the average working man should have an opportunity to go out and ice fish."

Senator Lamontagne inquired: "Can you tell us what they are going to do with the coals from the charcoal grill?"

Senator Blaisdell: "They could carry them over their shoulder. I think they might take them off, if requested."

Sentaor Foley: "How many lakes have ice fishing and is this the only lake that does not allow it? This was not cooked up."

Senator Blaisdell: "I would say that since I run a sporting goods store — that Republicans as well as Democrats ice fish. I believe that most of the lakes in New Hampshire are open. Two places in Sunapee are now open. They wish to open up the Newbury end of the lake. It will only be for a limited time of 90 days."

(Discussion ensued)

Senator Riley: "Mr. President, it is no secret that I was against this bill in committee. I felt that the Fish & Game Commission should have the regulatory power. As many of you know, in committee — there is much information of which we are not aware at the hearing. Since the excutive hearing on this bill, people have assured me that they were not notified of the hearing and therefore did not appear. They had understood that this would be taken care of by the Fish & Game Department. This is simply for a trial basis. No bob houses. I would at this time support the motion."

Senator Howard: "Mr. President, Newbury, in my District, borders on the lake. I have had several communications — all opposed to this bill. I have had no communications from people in favor. Therefore, I would oppose the motion to substitute."

Senator Saggiotes: "Mr. President, a couple of the towns that I represent are in the area of Lake Sunapee. Just to set the record straight, the people who were opposed to opening up Sunapee Lake for ice fishing, other than the two areas, are strongly opposed to it. I have received no communications from

any people that were originally opposed to it that have changed their minds."

Senator Hunter: "Mr. President, I did not wish to go into any further details as I believe the subject has been thoroughly discussed at the hearings. But there are some things and I believe there is a lack of knowledge. First, there were about 5 questions that were the main questions in opposition. The Department of Health appeared at the hearing and also sent a letter concerning water pollution. They brought up the matter of a man in Keene — just one man — who created a serious problem. He was a carrier so-called. Secondly, the Fish & Game Department has a salmon program in this area which they feel will be quite successful and they would dislike at this time to have this disturbed. Third, the business interest in the area — are very decidedly against ice fishing in this area. As to the people not being notified about the hearing. There was a second hearing held to give them an opportunity. There were a great many people who spoke to the effect that in other areas, cottages had been damaged. After consideration of all this information, the Committee reported the bill as inexpedient."

On motion of Senator Lamontagne, duly seconded, the previous motion was called for.

Question being on motion of Senator Blaisdell to substitute the report of the Minority for that of the Majority.

On this question, Senator Blaisdell demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Lamontagne, Gove, Blaisdell, Riley, Green, Martel, Provost, Bergeron and Foley.

The following named Senators voted in the negative: Martin, Mitchell, Johnson, Gardner, Howard, Saggiotes, English, Buchanan, Rinden, Waterhouse, O'Gara, Tufts and Hunter.

Nine Senators having voted in the affirmative, and thirteen Senators having voted in the negative, the motion to substitute was defeated.

On motion of Senator Howard, the Senate refused to reconsider its vote on the above motion.

Question now being on adoption of recommendation of committee, Inexpedient to legislate.

On a *viva voce* vote, the Senate voted to adopt committee recommendation above.

Committee Reports (continued)

Senator Rinden, for the Committee on Judiciary

SB 4, relative to the definition of a juvenile.

Ought to pass with amendment.

Amend the bill by inserting after section 3 the following new section 4: 4 Children over Seventeen and under Eighteen. Amend RSA 169 by inserting after section 20 the following new section 169:20-a Treatment as Juvenile Delinquents. When a person over seventeen years of age and under eighteen years of age enters a plea of guilty or is found guilty of a crime not punishable by death the court, in its discretion, may adjudge such offender a juvenile delinquent and may make him subject to all the provisions of this chapter except the provisions relative to publication. A person may invoke this section only once. Further Amend the bill by re-numbering section 4 to read section 5.

Senator Rinden: "Mr President, this bill as amended changes the law covering juvenile delinquents in two respects. It changes the definition of same. As the present law reads—one who has reached his 18th birthday. This new bill reduces the age to 17, so a person is a juvenile for the purpose of the juvenile delinquency act until he is 17 and not 18. The second change is with regard to publication. As the law now reads, the municipal or district court judge has the discretion of revealing information on juvenile proceedings. This bill reduces that discretion so that when this bill is passed juvenile proceedings will be open to publication for those 16 years or over. The judge will retain his discretion for those under 16. The amendment was presented to litigate the improvement of the law with regard to the children who may have been misled or made

a mistake unintentionally, although this is difficult to understand."

(Discussion ensued)

Senator Waterhouse: "This bill without the amendment is the same law that prevails in Maine and Massachusetts. Currently, those 17 or 18 years of age may commit a crime where in New Hampshire he would be protected. There is no doubt but what juvenile delinquency is increasing, particularly in the southern part of the state. In my district, judges, and law enforcement agencies are very much in favor of this bill. (speaks about articles in most of the magazines)

Senator Blaisdell spoke in support: "Mr. President, I rise to speak in favor of this bill as amended. Last week in Keene, 5 youths were caught with alcoholic beverages in their position. Three of them were published in the paper and the other two were not published—they were protected. (Tells of many of his experiences as a storekeeper in Keene).

Senator Lamontagne spoke in support.

Senator Gardner: "Mr. President, the State Federation of Women's Clubs support this bill. I am sure they would not object to the amendment. As State Legislative Chairman, I feel that I would be remiss if I did not have this on record."

Senator Martel: "Mr. President, I appreciate the work that the committee has done and especially the amendment. I view with alarm the bringing down of the age to 17. We should give some thought to past legislation sometime in the future; in getting those who are responsible for the way our juveniles are acting. We were all juveniles once—not as bad as those of today. Also, those of 17 and 18 maybe have a bad effect on the 13, 14 and 15 year old juveniles."

(Discussion ensued)

Senator Riley spoke in support of this legislation.

Senator Hunter spoke at length about the riot at Hampton Beach, etc.

Senator English presiding.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary.

HB 45, to give the right to vote to a person becoming of voting age within six months after moving from one place within the state to another place within the state.

Ought to pass.

Senator Rinden: "This bill takes care of the voting rights of a person who becomes 21 years of age in moving from one place in the state to another in the state."

Senator Blaisdell spoke in support. Stated that it had been introduced by Representative Shea from his area.

The bill was ordered to a third reading.

House Message

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills under Joint Rule No. 6 to the following entitled bill, in the adoption of which it asks the concurrence of the Senate:

SB 7, relative to the powers of the ballot-law commission.

Amend section 1 of said bill by striking out the twenty-eight and twenty-ninth lines and inserting in place thereof the following:

exclusive of all other remedies.

2 Powers Enlarged. Amend paragraph II of RSA 68:4 by striking

Further amend said bill by renumbering section 2 to read section 3.

On motion of Senator Johnson, the Senate voted to concur.

The President recognized Senator Lamontagne:

Mr. President and Members of the Senate:

I would like to make a report on the progress of the bus for patients at the N. H. Hospital.

I just received some more Green Stamp Books from my good friend from the 12th District, Senator Buchanan. He has brought the total down to 423 more books needed to obtain this bus. At this time books are coming in slowly and summer is approaching. I would like to ask the Senators to make contact with their friends and neighbors and do as Senator Buchanan is doing, so we can give the Auxiliary Members the finishing touch to this wonderful project.

I am sure that this bus will be used by every section of the hospital. I hope that Senators will bring in their books to me and that the Members of the House will bring in their donations of Green Stamp Books to Representative Larty for this worthwhile project.

Laurier Lamontagne
Senator District 1

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 7, An Act discontinuing the Portsmouth term of the superior court.

HB 11, An Act to authorize liens on real property owned by persons who receive support from towns.

HB 12, An Act to authorize liens on real property owned by county paupers.

HB 17, An Act relative to organization of certain educational corporations.

HB 203, An Act providing for the classification of the surface waters of the Little River and Powwow River watersheds.

HB 204, An Act prohibiting a daughter from marrying her father.

HB 308, An Act providing for the classification of the surface waters of the Androscoggin River watershed.

HB 44, An Act relative to political expenditures by special committees.

SB 5, An Act relative to appointment and salaries of court stenographers.

Paul Provost
For the Committee.

The report was accepted.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

HB 45, to give the right to vote to a person becoming of voting age within six months after moving from one place within the state to another place within the state.

HB 166, relating to towns and cities incurring indebtedness to pay for reappraisals.

HB 174, relative to annual payments to firemen's retirement board by call firemen.

HB 208, to provide for licensing on odd numbered years.

HB 431, relative to bonded indebtedness of the town of Peterborough for water-works.

SB 4, relative to the definition of a juvenile.

SB 25, providing for more than one deputy city clerk for the city of Manchester.

SB 26, changing the date of primary elections in the city of Manchester.

On motion of Senator O'Gara, the Senate adjourned at 1:15 p. m.

THURSDAY, April 8, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator Paquette was granted leave of absence for yesterday and today on account of illness.

Introduction of Guests

The President welcomed to the Senate, the former President of the Senate, Mr. Philip S. Dunlap of Concord.

House Message — First & Second Reading of Bills

HB 21, relative to number of election inspectors at biennial election. Referred to Judiciary.

HB 23, to provide additional retirement to retired members of the policemen's retirement system. Referred to Executive Depts., Municipal & County Government.

HB 183, to provide assistance for families and businesses displaced by highway construction or reconstruction projects. Referred to Public Works & Transportation.

HB 240, to authorize the issuance of jury venires during session of court. Referred to Judiciary.

HJR 24, providing funds for the commission on interstate cooperation. Referred to Finance.

Introduction, First & Second Reading of Bills

SB 70, relating to dairy herds at New Hampshire Hospital and New Hampshire State Sanatorium. (Gardner) Referred to Finance.

SB 71, establishing a new positions committee relative to the classified service. (Gardner) Referred to Executive Depts., Municipal & County Government.

SB 72, relative to the transfer of attorneys between departments. (Gardner) Referred to Executive Depts., Municipal & County Government.

SB 73, to require continuing chiropractic education. (Gardner & Provost) Referred to Public Health, Welfare & State Institutions.

SB 74, relative to placing a person on probation. (Johnson) Referred to Judiciary.

SB 75, relative to manner of serving terms of imprisonment. (Johnson) Referred to Judiciary.

Committee Reports

HB 122, expanding duties and powers of New Hampshire State Apprenticeship Council. Ought to pass.

Senator Martel: "Mr. President, I just wish to state that this bill will bring New Hampshire law into conformity with federal law as far as duties and powers are concerned."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works and Transportation: HB 63, to authorize the layout of right of way, acquisition of land and right of way, and the engineering for a high level Portsmouth-Kittery Bridge. Ought to pass.

The bill being on second reading and open to amendment, Senator Foley offered the following amendment:

Amend HB 63 by inserting after section 1 the following new section,

2 Construction Schedule. Construction is to be scheduled in the later stages of the interstate program but shall conform to the required completion date of that program.

Further amend HB 63 by renumbering section 2 to read section 3.

Senator Foley spoke in support of the amendment: "Mr. President, I would like to say that a great many people in the Portsmouth area have asked me to put in this amendment. It will take care of people whose homes are being taken and also their business establishments. They might be forced to move because of this new area coming in. I have been told that the Public Works Department will do this without having an amendment put on, but I would like to see an amendment to insure that this will be done. I wish the adoption of this amendment."

Senator Gove: "Mr. President, in regard to this amendment as proposed by Senator Foley, I might say that the Committee has given this matter very deep and extensive thought; and as a matter of fact, we have proposed this in executive session and wanted to get a meeting of the minds with the House in regard to how best implement this particular amendment. In the course of our investigation, we determined to bring in a couple of members from the House instead of put-

ting this amendment on and having a Conference Committee later. We thought that it would be wise to bring in members of the House Committee and also men from the Highway Department so that we might discuss in detail the effect of this amendment. After much debate in the House, the Public Works Committee now will propose this amendment although it was available to them and there was a strong feeling that this particular amendment not be attached to the bill. Actually, this program will be done at the later stages of the construction, but it was felt that it was wise at this time not to put it in black and white. I would yield to Senator Lamontagne."

Senator Lamontagne: "Mr. President, I would like to go further. I oppose this amendment. As the Chairman has just mentioned, the Committee did consider this amendment. This amendment was proposed in the House. It was brought to our attention by members in the House that there might be danger for future programs for any highways that might be introduced in the future. This is a time limitation and would stop progress of the highway. There was a statement made in the newspaper today saying that I had not kept my word. Please believe me, my word has been kept as well as that of the Committee. The matter will be taken care of by Mr. John Morton and Bob Whitaker and their assurance has been made, without the need of help from the Senators from the 1st or the 24th District. This matter will be taken care of by the Public Works Department, but as an individual project. By putting this amendment here, we are just asking for trouble for future legislation. I wish the following letter read into the record:

GREATER PORTSMOUTH CHAMBER OF COMMERCE

222 State Street

Portsmouth, N. H.

Telephone 436-1118 — PO Box 239

April 2, 1965

Senator Laurier Lamontagne
State House
Concord, N. H.

Dear Senator Lamontagne:

I have been instructed by President Arthur N. Berry, in his absence, to inform you that the Greater Portsmouth Chamber has been in favor of a high level crossing between Maine and New Hampshire since 1960.

We are very much aware of the economic importance of this new bridge and that the bill in its present form is in the best interests of Portsmouth and the State of New Hampshire.

We have complete confidence in the N. H. Highway Department and know that they will give every consideration to all interests in their final engineering plan. We recommend your support and urge its passage at an early date.

Very truly yours,
s/ WALTER PETERS
Walter Peters
Executive Director

WP/fw

I don't have to tell you what the law is — you all know that the Governor has to appoint a committee to consider this after passing the General Court. All these minor details can easily be taken care of. I have confidence in Mr. Morton and Mr. Whitaker that the promise will be kept. It will be done as an individual project and not involving the whole State. I can remember 12 hearings. There is no question but what the people in Portsmouth have been given a fair chance. They have had an opportunity to speak as they wish. They presented document after document. I have never never seen so many hearings on one project. I am being honest that this will be taken care of and there will be no trouble. We must keep in mind — these people are getting alarmed. They have done no repairs to their property for three or four years because they feel that the state is going to take their homes. We are not sure and we will not be sure until this survey is completed. Thirty-two homes, we have been told, will be taken. But we must know just what homes are to be taken. I hope the Senate will vote down this amendment."

On a *viva voce* vote, the negative prevailed, and the amendment was not adopted.

Question being: Shall the bill be ordered to a third reading.

Senator Gove: "Mr. President, as Senator Lamontagne has said, we have had several public hearings on this matter. We had a conference in Augusta, Maine. Another public hearing here in the State House, and in the same week, a public hearing in the city of Portsmouth. I must say that it was a very gratify-

ing experience to me to be in touch with the people of Portsmouth. I think they are most fortunate in having two conscientious members representing them in the Senate, also, they are fortunate in having such a very fine electorate down there. This can be summed up by saying that the high level bridge as contained in HB 63 carries the endorsement and recommendation of the Bureau of Public Roads, our State Highway Department, our past Legislative Council, the Legislature of the State of Maine, and the endorsement of our House Public Works Committee. The concept of a high level free bridge was initially recommended by the engineering firm of Wilbur Smith & Associates, who, in 1961 and 1962, conducted an exhaustive transportation study for the State of New Hampshire covering the Portsmouth area. There have been few highway proposals in our State that have received more consideration or have been given more complete endorsement by so many authoritative groups. The necessity for constructing an additional bridge facility in Portsmouth is apparent and inevitable. It will enhance the business development of the Portsmouth area in general as well as the entire State of New Hampshire. Delays that have been occasioned on reaching a decision in this matter have already resulted in increased costs of this project. Business development in the Portsmouth area has been held back due to a lack of decision in this matter. As a member of the Public Works Committee, I have attended all the hearings on this bill. After extensive study, I believe that this bill ought to pass."

Senator Bergeron: "Mr. President, being a member of the Finance Committee, I hesitate to make a motion to refer this bill to the Finance Committee. I know that it has been a hot potato in Portsmouth. I understand that the State of New Hampshire will lose 30 million dollars by this move. I think the Finance Committee should look this over and see what they think. I will not make the motion, but I would like to see this done."

Senator Lamontagne: "Mr. President, I don't think it is necessary to refer this bill to the Finance Committee. The Highway Department has provided the funds for this high level bridge. I believe it has its own appropriation. It is a part of the program."

Senator Bergeron: "I am not concerned with the funds for the building. I am concerned with the money that the State of New Hampshire will lose."

Senator Lamontagne: "I do not wish to get into any debate. A delay will result if the bill is referred to Finance. This project means nothing to the people up north. This bridge is going to benefit the people in the Portsmouth area. They are the ones facing the problem of this extra traffic and the accidents that have occurred. Seeing that the Public Works has the funds, I will oppose this bill going to the Finance Committee. There is no appropriation needed at this time."

Senator Foley: "It was always my understanding that any bill involving any money at all, always goes to the Finance Committee. Is this not true?"

The Chair: "It is my understanding that in regard to the funds of HB 63, that this so-called 90-10 program had been previously adopted by a previous Legislature and therefore, it was not necessary for the funds to be appropriated each session of the General Court in order to carry out this proposition. Therefore, no bill has been referred directly to Finance which came under this 90-10 program. The Chair would state that a motion, of course, is in order if that is the will of the Senate, but the Chair will not rule that it be sent to the Finance Committee, under the rules. If such a motion is to be made, it should be made now."

Senator Foley: "I move that this bill, HB 63, be referred to Finance."

Senator Gove: "Mr. President, I am in opposition to the motion now pending. I think that your committee has studied all aspects of this project; the economical, the fact that the business communities have held strongly in favor of this project. Certainly, they have studied the possible economic effect that this project would have on the city of Portsmouth. I think we have discussed the effect this would have on the economy of the State of New Hampshire. This motion would delay this bill. They want this bill and they want it now. It has been bandied about and shuffled about. I think now with the amount of work that the Finance Committee is doing now, I think this is asking just a little too much. I oppose this motion strongly."

Senator Lamontagne: "I am in opposition to the motion. Enough hearings have been held and information heard. If this is done, another hearing will be held and there will be more delay. I think this is unfair. If an appropriation was needed, I would support its going to the Finance Committee. The appropriation is already there — and I am hoping that this motion will be voted down and that we will pass this bill today so that the people in Portsmouth will know exactly where they stand."

On a *viva voce* vote the motion to refer to Finance was defeated.

The bill was ordered to a third reading.

Committee Report (Continued)

Senator Waterhouse, for the Committee on Ways & Means:

HB 171, to increase the public revenue from the tax on legacies and successions. Ought to pass.

Senator Waterhouse: "Mr. President, I move that consideration of HB 171 above be made a Special Order of Business for Wednesday next, April 14th, at 11:01. An amendment has been offered this morning which seems to have considerable merit. There is a matter of cost involved and I think reasonable time should be given us to allow us to consider this matter further."

Senator Riley inquired: "Will the amendment be printed in the Journal?"

Senator Waterhouse replied in the affirmative.

On a *viva voce* vote, the motion for Special Order carried.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 16, An Act requiring a phenylketonuria test for new born children.

HB 47, An Act relative to increase in fish and game licenses.

HB 67, An Act relative to the sale of liquor by certain golf clubs.

HB 134, An Act relating to capital required to organize insurance companies.

HB 253, An Act relating to reports of examinations made by the banking department.

SB 10, An Act providing for immunity from liability in emergency cases.

Eda C. Martin
For the Committee

The report was accepted.

Introduction of Guests

As the guests of Senator Riley, the 4th, 7th and 8th grades of Chichester Central School accompanied by Principal Martin Schiff and teachers Bea Schiff (Mrs. Martin) and Mrs. Kennally.

As the guests of Senator Hunter, Mr. Charles Morgan of Hampton, and Mr. Herbert Cassassa, the Member of the House from Hampton.

Resolution

Senator Hunter offered the following Resolution which was unanimously adopted by a standing vote:

Resolution on the birthday of STEWART LAMPREY

Whereas, today, April 8, is the birthday of the esteemed Senator from the 4th District, Stewart Lamprey; and

Whereas, The honorable Senate considers itself fortunate to have Senator Lamprey serve as President this Session; now, therefore, be it

Resolved, That we, the members of the Senate, extend our hearty congratulations and best wishes; and be it further

Resolved, That the Clerk transmit a copy of these Resolutions to Senator Lamprey.

Introduction of Guests

As the guests of Senator Gove, two gentlemen who attended the last Republican National Convention in San Francisco with the Senator, Mr. Harold Ayers and Attorney Irving Soden, both of Concord.

The Chair recognized Senator Blaisdell: "Mr. President, I have two things to mention. First, on behalf of my wife and I, I wish to thank Senator Howard for the tremendous party that we had last evening. He was the Host, I imagine. I would like to say that when you give me tickets again, please give some to Senator Gove so I can go with him. Secondly, on Wednesday, I shall bring in a Resolution relative to my home town of Keene. I have lived there all my life — 38 years. I am tremendously proud of Keene — it is one of the 11 All American cities and on Wednesday, I shall bring in a Resolution to that effect."

On motion of Senator Martel, the rules were so far suspended as to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

HB 63, to authorize the layout of right of way, the acquisition of land and right of way, and the engineering for a high level Portsmouth-Kittery Bridge.

HB 122, expanding duties and powers of New Hampshire State Apprenticeship Council.

On motion of Senator O'Gara, the Senate adjourned at 12:43 P.M. to meet next Tuesday morning at 11 o'clock.

TUESDAY, April 13, 1965

The Senate met according to adjournment.

A quorum was present.

Leaves of Absence

Senator Paquette was granted leave of absence for the day on account of illness.

Senator Blaisdell was granted leave of absence for the day on account of being in New York on important business.

Introduction of Guests

As the guests of Senator Lamontagne, the granddaughter of Lionel Martel of Concord, Miss Cathy Dorval of Gorham, N. H. Also, Armand A. Patenaude, owner of Patenaude Motors of Berlin.

As the guest of the Chair, the Speaker of his House, Mrs. Lamprey.

House Message — First & Second Reading of Bills

HB 121, relating to the bounty on bobcats. Referred to Fisheries & Game.

HB 165, relating to the establishment of contingency funds for units of municipal government. Referred to Executive Depts., Municipal & County Government.

HB 242, to authorize waiver of jury trial in certain cases. Referred to Judiciary.

HB 336, relative to investments of building and loan associations. Referred to Banks, Claims & Insurance.

HB 406, legalizing proceedings at the town meeting November 10, 1964, in the town of Ossipee. Referred to Executive Depts., Municipal & County Government.

HB 408, legalizing proceedings at the town meeting March 9, 1965, in the town of Northfield. Referred to Executive Depts., Municipal & County Government.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments of-

ferred by the Committee on Engrossed Bills to the following entitled bills:

HB 200, relative to unemployment trust funds.

HB 216, relative to power of testator to designate representatives for unknown beneficiaries.

The Message also stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate.

HB 41, prohibiting the sale of sweepstakes tickets by unauthorized persons.

On motion of Senator Johnson, the Senate voted to concur.

Introduction, First & Second Reading of Senate Bills

SB 76, relative to the exemption from tax on neat stock and poultry. (Mitchell) Referred to Ways & Means.

SB 77, relative to the improvement for small boating of the back channels of Portsmouth Harbor. (Hunter) Referred to Resources, Recreation & Development.

Committee Reports

Senator Martin, for the Committee on Engrossed Bills: HB 208, to provide for licensing on odd numbered years. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to licensing of chiropractors.

The Senate voted to concur in the Engrossed Bills committee report.

Senator Martin, for the Committee on Engrossed Bills: HB 431, relative to bonded indebtedness of the town of Peterborough for water-works. Report the same under Joint Rule

No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by inserting after the words "exceed at any" in the twentieth line the word, one.

The Senate voted to concur in the Engrossed Bills committee report.

Resolutions

On motion of Senator Foley, the following Resolutions were unanimously adopted:

Whereas, the Debating Team of St. Thomas Aquinas High School under the guidance of Sister Mary Raymunda has been crowned champion in the New England Forensic League, and

Whereas, James Ringer and Steve Urbanczyk won team honors in this competition, and

Whereas, Christine Kuhlman won a top award in best speaking

Be it Resolved that the Senate go on record as sending sincere congratulations to the entire Debating Team, their Director, and to the school and a copy of this Resolution be sent to St. Thomas Aquinas High School, Sister Raymunda and to those who won these high honors.

* * *

Whereas, the 15th annual New Hampshire Science Fair was held recently at the University of New Hampshire and

Whereas, five first place winners were named including Cynthia Brown, Nashua; Robert Hinchey, St. Thomas Aquinas; Carolyn Albrowczynaki, St. Joseph's of Manchester; Darryl Robertson, Concord; Nancy Ordway, Manchester Memorial, and

Whereas Manchester Memorial was given top honors in this competition,

Therefore, be it Resolved that the Senate go on record as sending sincere congratulations to these students, their schools, and to the Manchester Memorial High School and that copies of this Resolution be sent to the above honored school and individuals.

Communication

The Chair announced that he had received a Communication from Commissioner Barry and Dr. Atchison, relative to a Diabetes Detection Screening Program. Further stated that this Communication will be entered as a Notice in the Journal, unless otherwise ordered by the Senate.

Senator Lamontagne: "Mr. President, I would appreciate having this Communication printed in the Journal. I have been contacted by a member of the staff, and I am supposed to meet this afternoon at 2 o'clock and there will be more information coming. As you know, I am one out of three — the Clerk, Senator Paquette, and myself — we already know that we are diabetic, (and we are doctoring) and we only hope that the rest of you are not. At least, we would advise you that this is a good opportunity to be checked. In 1958, when I lost my eyesight for thirty days, I did not know what the cause of it was, but I soon found out what my trouble was and I was able to correct some of my problems. This is something of great importance, especially today the way our life is and the different things that we eat, it is very easy to become a diabetic. This is a most important matter and I believe the Communication should be printed in the body of the Journal."

The Chair: "At the request of Senator Lamontagne, the Communication will be printed, unless otherwise ordered by the Senate."

Communication

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND WELFARE
DIVISION OF PUBLIC HEALTH
61 SOUTH SPRING STREET
CONCORD

April 7, 1965

Honorable Stewart Lamprey, President
New Hampshire State Senate
State House
Concord, New Hampshire

Dear Mr. Lamprey:

The New Hampshire Department of Health and Welfare, through the Division of Public Health in cooperation with the

New Hampshire Medical Society, the New Hampshire Academy of General Practice and the New Hampshire Diabetes Association, is planning a Diabetes Detection Screening Program.

Diabetes, long recognized as a major public health problem, is the 8th leading cause of death in the nation. New Hampshire ranks 7th in death rate due to diabetes. There is an estimated 4,917 unknown cases of diabetes in New Hampshire today. Identification of these unknown diabetics can be accomplished through organized screening programs.

We wish to extend an invitation to the New Hampshire State Senate in the inauguration of this health program. The dates are April 21-22, 1965. The testing of the Governor and Council and the General Court will begin a state-wide diabetes detection program.

The screening involves a capillary blood test for diabetes to be offered to the Governor and Council and each member of the Senate and House. One hour prior to the blood test each person is provided a cola-type drink for consumption. This results in a standardized carbohydrate intake for all. A testing station will be established in the State House lobby where trained, qualified personnel will administer the test. Individual tests take approximately one minute.

In every community there are unknown diabetics. With prompt detection and medical care these people can almost always continue to lead normal lives. If neglected they can develop serious complications. Your participation would give stimulus to a program beneficial to the citizens of New Hampshire.

Sincerely,

s/ James J. Barry
James Barry, Commissioner

s/ Mary Atchison, M.D.
Mary M. Atchison, M.D., Director

The Chair recognized Senator Buchanan: "Mr. President, I am sure that my colleagues in the Senate have noticed the empty chair next to me the past several days. We are all aware of the fact that Senator Paquette, District No. 13, is well along in years and his health is not of the best. He is missed by his

colleagues — I realize that a Resolution should be written before being offered — but I would suggest that when we adjourn today, we do so in honor of Senator Paquette, and that a Resolution be sent to him wishing him speedy recovery to good health and return to his seat in the Senate.”

Senator English presiding.

Senator Lamprey: “Mr. President, I move that the rules of the Senate be so far suspended as to permit the introduction of a Committee Report not previously printed in the Journal — on HJR 16, providing for a supplemental appropriation for the division of vocational rehabilitation.”

Senator Lamprey spoke in explanation: “This is a part of the education program which has to do with rehabilitation, and actually in many cases, the medical needs of many of our citizens here in New Hampshire. The present funds that were allowed for this biennium, just under \$100,000, have been completely exhausted. This additional monies of \$5,600 will provide some badly needed medical treatment for at least two patients; one that has already gone to a hospital in Massachusetts for a serious heart operation, and one who will be going into the hospital this week end for a heart operation. This amount will leave some surplus, a couple of thousand dollars, for any case that might come to the attention of the Senate between now and the next biennium. I would ask the Clerk to read HJR 16.”

The Clerk read HJR 16:

JOINT RESOLUTION

providing for a supplemental appropriation for the division
of vocational rehabilitation.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the sum of five thousand six hundred four dollars is hereby appropriated for the fiscal year ending June 30, 1965, for the division of vocational rehabilitation, department of education, said sum being required to provide surgical, hospitalization and training funds to meet the needs of client applications on hand and/or anticipated in the remainder of said fiscal year. The governor is authorized to draw his warrant for

the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

On a *viva voce* vote, the rules were suspended to permit introduction of the Committee Report.

Committee Report

Senator Lamprey, for the Committee on Finance: HJR 16, providing for a supplemental appropriation for the division of vocational rehabilitation. Ought to pass.

Senator Lamontagne inquired: "Was there any opposition in the House?"

Senator Lamprey: "None that I know of. It had been testified to before our Finance Committee that these funds had been exhausted some two weeks ago, so we knew this was coming and was badly needed."

Senator Lamontagne: "No objection."

The HJR 16 was ordered to a third reading.

Senator Lamprey: "I intend to take certain action as President of the Senate, but would not like to do it without informing the Senate of such action. In order to discuss this matter with the Senate, I would like to move that the Senate resolve itself into a Committee of the Whole."

On a *viva voce* vote, the motion carried and the Senate resolved itself into a Committee of the Whole.

(Committee of the Whole)

On motion of Senator Saggiotes, the Senate went into regular session.

Introduction of Guests

As the guest of Senator Martel, Mr. Josaphat Lavallée, Recording Secretary of local Union 625 of Manchester.

As the guest of Senator Mitchell, Mr. Ober of Ashland.

As the guest of the entire Senate, former Senator Charles Copeland Eaton of Stoddard.

On motion of Senator Martel, the rules were suspended and all business in order for this afternoon at 2 o'clock was made in order at the present time.

Afternoon Session

Third Reading & Final Passage of Joint Resolution

HJR 16, providing for a supplemental appropriation for the division of vocational rehabilitation.

On motion of Senator Buchanan, the Senate adjourned at 12:05 p.m. in honor of our esteemed Senator from the 13th District, Senator Paquette, and the Clerk to so inform Senator Paquette.

WEDNESDAY, April 14, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Bergeron, his wife Catherine, and son Guy.

As the guest of Senator Martel, former Senator Battles from Kingston.

Announcement by the Chair

The Chair announced: "After visiting with our Assistant Clerk who was taken to the hospital last night — he appears to be resting comfortably this morning and we expect that he will be back with us in a few days.

"It is also nice to see Senator Paquette back with us after several days of illness. We hope that he will remain in good health for the rest of the session."

House Message — First and Second Reading of Bills

HB 241, to provide an additional penalty for failure to appear in court after release on bail. Referred to Judiciary.

HB 269, relating to complaints alleging speed violations. Referred to Judiciary.

HB 271, to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars. Referred to Executive Depts., Municipal & County Government.

HB 277, relating to contracts between municipalities and the New Hampshire water resources board. Referred to Judiciary.

HB 278, making amendments to the Uniform Commercial Code. Referred to Judiciary.

HB 289, providing for a hearing after suspension of liquor license or beverage permit. Referred to Liquor Laws.

HB 321, relative to future water supplies for the city of Manchester. Referred to Resources, Recreation & Development.

Introduction of Guests

The President welcomed to the Senate, the Assistant Chairman of the Republican National Committee, Mrs. Patricia Hutar, accompanied by Mrs. Rose Bovaird, New Hampshire Republican National Committeewoman of Manchester; Miss Victoria Zachos of Concord, Young Republican National Committeewoman; and Mrs. Maxine Goodman, former Assistant Chairman of the Manchester Republican City Committee.

As the guests of Senator Rinden, pupils from Alton High School, accompanied by citizens of Alton, led by Roy Anderson as Republican Town Chairman.

Committee Reports

Senator Lamontagne, for the Committee on Public Works and Transportation: SB 65, relative to larceny of rented motor vehicles. Ought to pass.

Senator Gove: "Mr. President, this is a bill that was introduced by Senator Lamontagne, and I would yield to him."

Senator Lamontagne: "Mr. President, this bill has to do with the larceny of rented motor vehicles. Leasing of cars and

trucks to individuals and companies has become a big business in New Hampshire. There are national leasing companies and franchised leasing companies and leasing subsidiaries of motor manufacturers operating in New Hampshire. Registration fees paid to the state so far this year by one franchised leasing company amount to \$32,277.00. When a leasing company or an individual enters into a leasing arrangement, it is done as a contract between the Lessor and the Lessee. If the individual who has leased a car or truck does not return the vehicle at expiration of the contract period, and after due warning, the owner of the vehicle is helpless. The person driving the vehicle can leave the state and use the vehicle and also sell it. That individual, under the law has not stolen the car — he has merely broken a contract. If that individual can be found, he can be brought into court for breach of contract *only*. In the meanwhile, the car or truck has been used without pay and in many cases, sold or ruined. This bill would make it a larceny if the vehicle was not returned after due warning. As late as this week, a car was stolen from P & S Leasing. In SB 65, any person to whom a motor vehicle, semi-trailer, or trailer is delivered on a rental or lease basis under any agreement in writing providing for its return to a particular place at a particular time who refuses or wilfully neglects to return such vehicle or trailer, after the expiration of the time stated in a notice in writing proved to have been duly mailed by registered mail addressed to the last known address of the person who rented or leased the motor vehicle, semi-trailer, or trailer is guilty of larceny."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 38, to reclassify a Class II highway in the town of Bartlett to a Class V highway. Ought to pass.

Senator Gove: "Mr. President, this a 'road keeping' bill. It does, in effect, change from a Class II to Class V highway, .44 of a mile in the town of Bartlett. The selectmen and the State Highway Department cooperated in this venture. Now, under Class V, the town takes it over and maintains it. There was no opposition. The town and the State Highway Department are in accord."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 72, to reclassify a Class V highway in the town of Rindge to a Class III highway. Ought to pass.

Senator Gove: "Mr. President, this is a similar bill, except that it provides that it be a Class III highway which is a highway for recreational use; it goes to a recreational area. The state maintains it in the summertime and the town plows it in the wintertime. Again, the Representative from Rindge worked with the State Highway Department in asking for its passage."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 78, to reclassify a Class II highway in the town of Durham to a Class V highway. Ought to pass.

Senator Gove: "Mr. President, this is a similar bill to HB 38. It involves .28 of a mile of road in Durham and another road of .20 of a mile at Durham Point. The same situation prevails here."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 122, expanding duties and powers of N. H. State Apprenticeship Council. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

expanding the duties and powers of the
State Apprenticeship Council.

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Rules Relative to Nondiscrimination. Amend RSA 278:3 by adding at the end thereof the following:

Amend section 2 of the bill by striking out the first two lines and inserting in place thereof the following:

2 Personnel Provided. Amend RSA 278 by inserting after section 3 the following new section:

The Senate voted to adopt the Engrossed Bills Committee Report.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 45, An Act to give the right to vote to a person becoming of voting age within six months after moving from one place within the state to another place within the state.

HB 166, An Act relating to towns and cities incurring indebtedness to pay for reappraisals.

HB 174, An Act relative to annual payments to firemen's retirement board by call firemen.

HB 200, An Act relative to unemployment trust funds.

HB 216, An Act relative to power of testators to designate representatives for unknown beneficiaries.

SB 7, An Act relative to the powers of the ballot-law commission.

SB 14, An Act to change the labeling requirements of agricultural seeds.

HB 63, An Act to authorize the layout of right of way, the acquisition of land and right of way, and the engineering for a high level Portsmouth-Kittery Bridge.

SB 34, An Act to repeal special fishing regulations relative to the upper Connecticut River.

Eda C. Martin
For the Committee

The report was accepted.

Special Order of Business for 11:01

Senator Waterhouse called for the Special Order.

Special order being: Consideration of HB 171, to increase the public revenue from the tax on legacies and successions. Committee Report: Ought to pass.

The bill being on its second reading, was open to amendment.

Senator Waterhouse: "Mr. President, it is my understanding that Senator Rinden has an amendment to offer to this bill."

Senator Rinden offered the following amendment:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Tax Increase. Amend RSA 86:6 (supp) as amended by 1963, 112:1 by striking out the same and inserting in place thereof the following: 86:6 Taxable Property and Tax Rate. All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state, and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, father, mother, or lineal descendant, or for the care of cemetery lots, or to a city or town in this state for public municipal purposes, or to or for the use, whether for or upon trust, of educational, religious, cemetery, or other institutions, societies or associations of public charity in this state, or in any state, territory or country other than this state, the laws of which, at the time of the death of the decedent, either (1) does not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state, shall be subject to a tax of ten per cent of its value, for the use of the state. For the purposes of this section all adopted children in the decedent's line of succession shall be treated as natural children in determining "lineal descendant."

* * *

On motion of Senator Rinden, reading of the amendment was dispensed with, same having been printed in the Journal.

Senator Rinden spoke in support of the amendment: "Mr. President, the bill increases from 8½% to 10%, the tax on legacies and successions. The amendment is directed to correcting a discriminatory provision in the present law. The present inheritance law reads — taxed at the rate of 8½% except those which are lineal descendants, or ancestors — parents or grandparents. These are excepted — also spouse. So money that is inherited by children or wife are not taxed here. A further exemption is money that is left to towns for public purposes — that is also exempt. What is not exempt, under present law, is estate gifts to charitable and educational institutions, etc. This is unusual as in most of the other state laws, there is a provision whereby real estate taxes do not apply to charitable and educational institutions. The present law is discriminatory against New Hampshire charities and New Hampshire institutions. We have a provision in the law which permits citizens of other states, which are in reciprocal agreement with New Hampshire, to leave to New Hampshire charities without a tax, and enables New Hampshire residents to leave to educational and charitable institutions in other states, without the tax. For example, if someone dies in New Hampshire and leaves \$1,000 to Dartmouth — they get \$850, instead of the \$1,000. I do not think it is right to discriminate against Dartmouth — or any other New Hampshire educational institutions or charitable institutions, as the case may be, and permit these other institutions and colleges elsewhere in the country to go tax free. I say these institutions are tax free in these other areas and New Hampshire should be extended the same exemption. For that purpose, I have offered this amendment. The effect of this amendment would be that our New Hampshire colleges and schools and charities would enjoy the same exemption that is granted to those outside of New Hampshire. The effect will bring our New Hampshire taxes into line with other states. The thing that has bothered the Ways & Means Committee — and I am not attacking the Committee — they have done an excellent job, but I just disagree and I am setting forth my reasons for disagreeing. The committee felt that it would cost too much in revenue. This will raise \$600,000 in the next biennium. If this amendment is adopted, it will be cut to \$150,000; a cut back on the projected increase of revenue in \$450,000. Is this an objection? I say not. What is the purpose of this new revenue — I submit to you that one of the important purposes of this new revenue is to give additional appropriation to the

University of New Hampshire and other educational purposes; to the State Hospital and Laconia State School. The reason for objecting to this is that we are going to deprive these state and educational institutions from this revenue. I would point out to you that without adopting this amendment, you are depriving these private institutions — Dartmouth, Exeter, and other colleges of this revenue by not adopting the amendment. Which is the better to do? Is it better to enable a person who dies to leave his property — or take the money from his estate, through the general fund and pay it to the University of New Hampshire or some charitable institution. I submit to you that it is better for the person who has this money to decide for himself as to what institution or educational institution this should go to. . . .”

Senator Waterhouse: “Mr. President, I speak in opposition to the amendment. I have the greatest respect for the Senator from the 15th District and I am in sympathy with the intent of the amendment. If you remember last week, I stated that there was a cost factor involved which he has mentioned to you. (reads from letter from the Tax Commission: estimated \$600,000 would be reduced to \$150,000 — a loss of \$450,000 in projected revenue) The committee considered one amendment at our executive hearing, introduced by Representative Palmer. That amendment would return 10% of all funds received by the state to the county in which the resident was domiciled. At that time, the committee turned down that amendment and I believe that the committee is against this amendment also.”

Senator Johnson: “Mr. President, I, too, am very sympathetic to the purpose of this proposal; so much so, in fact, that I have a bill which has been filed by title to accomplish the same result. The bill that I filed was for the same reasons as Senator Rinden has advised. As a practical matter, I have seen clients faced with this situation. If they wish to leave money — 81½% of the estate will go to the state. If the money is left to a national organization — there is no tax. In other words, what we are doing in New Hampshire, we are discouraging the people in New Hampshire giving their money to local charities, and in turn, encouraging them to give it to national charities. What we are doing in the state each biennium, we are levying a tax on charitable and educational institutions — \$450,000. I have to rise in opposition to this amendment because I do not think

at this time that we can raise \$600,000 with a bill, and then cut the heart out of the bill by taking away \$450,000. The average take from this is \$250,000 per year at $8\frac{1}{2}\%$. So that at 10%, we would be taking more than half a million, by this bill. I would like to say that the bill that I filed by title is on file and there has been talk of possible tax reform offered at this session of the general court. If we get to that point — this is a very serious situation.”

Senator Martel spoke in opposition to the pending amendment: “Mr. President, I appreciate the interest that Senator Rinden has shown in this matter, also the remarks of Senator Johnson. As you may know, the leadership of the Legislature, with the administration, have talked about projected revenue — state employees’ pay raise — and other expenditures to be met during the next biennium. I think it is unwise to adopt this amendment. As Senator Johnson has said — if during the ensuing months, there might be opportunity for tax reform — perhaps I would myself be interested. We have come up against this problem in the past, but because of the projected revenue which has been taken into consideration by both Parties and both Parties agree that new revenue is needed, I would hope my colleagues would not adopt this amendment.”

On a *viva voce* vote, the negative prevailed, and the amendment was not adopted.

Senator Waterhouse: “Mr. President, nobody appeared in opposition without amendment and the passage was unanimously urged by the Ways & Means Committee.”

The bill was ordered to a third reading.

The Chair recognized Senator Lamontagne: “Mr. President, I would like to report on the Diabetes Detection Screening program. This test will be held on Wednesday, April 21st. The cola-type drink will be given at 11 o’clock. I would like to serve notice that I will ask for a Recess at 12 o’clock, in order that the test may be given. I met with Edward J. Jensen, the Executive Secretary of the Diabetes Detection Program Advisory Committee and the plans are complete.”

The Chair recognized Senator Riley: “Mr. President, on March 30th, I introduced a Resolution relative to Senator McIntyre and his stand on legislation to regulate sale, shipment,

ownership and registration of firearms. In view of the fact that on April 2nd, Senator McIntyre clarified his position and I no longer have any quarrel with him, I would ask that my Resolution be withdrawn and I would so move. I would ask the Committee on Fisheries & Game, to whom the Resolution was referred, to discharge the Resolution."

Senator Hunter inquired: "Is it required that we have a two-thirds vote to discharge a Committee?"

The Chair replied in the affirmative.

Question on motion to discharge the Fisheries & Game Committee of Resolution offered by Senator Riley

Senator Johnson spoke against the motion: "Mr. President, it seems to me that this Resolution has been sent to the Fish & Game Committee — that at the time this came before the Senate, it was referred to said committee, I believe that this Resolution should be brought out and made a part of the record of this Senate. It may well be that the committee has already made arrangements for hearing. It seems to me a responsibility for us to go forward and make a decision on this matter. I think that we should be very very careful in this Senate to think long and hard in introducing Resolutions and passing Resolutions which refer matters down to Washington. This matter was brought to us and referred to Committee. This committee was prepared to act on this piece of legislation and I believe that at this time, they should be given that opportunity."

Senator Martel spoke in support of the motion: "I would go along with the request of Senator Riley. He introduced this Resolution and he realizes now that the objection he voiced at the time is no longer of any value. I think we should acquiesce to his desire. I know that Senator Johnson does not have much interest in memorializing — we spoke about this only yesterday. We are losing time. This was not a very serious Resolution. It is very seldom that a Senator introduces a Resolution and thereafter asks that it be withdrawn. I would ask my colleagues to go along with the request of Senator Riley."

Senator Lamontagne spoke in support of the motion: "Mr. President, this is not unusual. In past years, other Senators have felt that if their Resolution had no value — they have asked that the Senate take it out of the committee and get rid of it.

This will save some time. When Senator Riley introduced the Resolution, he did not ask that it be referred to any committee. It was other Senators who wished to refer it to committee."

Senator Blaisdell spoke in support: "Mr. President, as a member of the Fish & Game Committee, and knowing the work load that the committee has, I would go along with Senator Riley. I think we should listen to him. Senator McIntyre has clarified his position and I am convinced that the Senator should be allowed to withdraw the Resolution."

Senator Riley: "Mr. President, I can assure the members of the Senate that if Senator McIntyre had not clarified his position, I would not be asking to withdraw my Resolution."

Question on motion of Senator Riley to withdraw the Resolution from Committee.

On this question, the Chair requested a standing vote.

Fourteen Senators having voted in the affirmative, and four Senators having voted in the negative, the affirmative prevailed, and the motion carried.

Resolutions

On motion of Senator Blaisdell, the following Resolution was unanimously adopted:

Whereas, The National Municipal League has honored the City of Keene by naming it one of the eleven all-American cities in the whole country; and

Whereas, The City of Keene deserves congratulations and commendations for the efforts involved in earning this distinguished honor; and

Whereas, The citizens of Keene should be justly proud of this outstanding achievement; now, therefore, be it

Resolved, The Senate extends to the citizens of Keene their heartiest congratulations upon this accomplishment; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to the Honorable Robert Mallatt, Mayor of Keene.

On motion of Senator Buchanan, the following Resolution was unanimously adopted:

Whereas, today, Wednesday, April 14, 1965 marks the one hundredth anniversary of the tragic assassination of Abraham Lincoln, the 16th President of the United States, and

Whereas, President Lincoln was known as the Great Emancipator, and our country is now moving rapidly and materially forward in the implementation of the basic precepts for which he stood and fought as such, and

Whereas, during the agonizing years of his term of office, President Lincoln guided our government through one of the bloodiest civil conflicts ever known on this planet, and

Whereas, through his superb leadership and profound wisdom, the union was preserved to develop into this great nation:

Therefore be it Resolved that we, the members of the New Hampshire State Senate, do adopt these Resolutions by rising vote, and stand for a moment of silent prayer in thanksgiving that, in one of her hours of greatest need, Providence provided our nation with this great man to guide us through those perilous times.

House Message

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill, sent down from the Senate:

SB 34, to repeal special fishing regulations relative to the upper Connecticut River.

The Chair recognized Senator Lamontagne: "Mr. President, I wish to give my most recent report on green stamp books toward obtaining the bus for the patients at the New Hampshire Hospital. There was need for 163 more books. Senator Buchanan brought me 1 book and that brought it down to 162. Then Senator Hunter brought me 4 books and the need was for 158 more books. Senator Buchanan has brought me another book and we now need 157 more books only."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session**Third Reading & Final Passage of Bills**

SB 65, relative to larceny of rented motor vehicles.

HB 38, to reclassify a Class II highway in the town of Bartlett to a Class V highway.

HB 72, to reclassify a Class V highway in the town of Rindge to a Class III highway.

HB 78, to reclassify a Class II highway in the town of Durham to a Class V highway.

HB 171, to increase the public revenue from the tax on legacies and successions.

On motion of Senator Waterhouse, the Senate refused to reconsider its action on HB 171 above.

On motion of Senator Riley, the Senate adjourned at 12:23 p.m.

THURSDAY, April 15, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator O'Gara was granted leave of absence for the day.

Introduction of Guests

As the guests of Senator Lamontagne, Mr. Francis J. McGreggs, Administrative Advisor, Bureau of Employment Security, U. S. Department of Labor, Boston, Mass. Also James M. Riley, Jr. and Edward F. Smith, both from the New Hampshire Department of Employment Security.

House Message — First & Second Reading of Bills

HB 48, authorizing the dissolution of the Penacook School District and uniting it with the Union School District of Concord. Referred to Education.

HB 256, relating to the invoice of taxable property. Referred to Executive Depts., Municipal & County Government.

HB 360, to authorize banks to invest in service corporations. Referred to Banks, Insurance & Claims.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 208, relative to licensing of chiropractors.

HB 431, relative to bonded indebtedness of the town of Peterborough for water-works.

Introduction, First & Second Reading of Senate Bills

SB 78, relative to early land acquisition and disposition in connection with redevelopment projects. (Green & Martel) Referred to Judiciary.

SB 79, relative to grants in aid to cities and towns in lieu of taxes on state property. (Rinden) Referred to Ways & Means.

SB 80, relative to guaranteed loans to students for higher education. (Johnson) Referred to Education.

Committee Reports

Senator Lamontagne, for the Committee on Ways & Means: HB 172, to increase the public revenue from the tax on public utilities. Ought to pass.

Senator Waterhouse: "Mr. President, this bill will increase the tax on public utilities from 8% to 9%. It is estimated that it will bring in something over \$100,000 a year. Only one spoke in opposition and the bill was voted ought to pass, unanimously by the Committee. I hope that the Senate will see fit to pass this bill."

The bill was ordered to a third reading.

Senator Howard desired to be recorded as voting against the bill.

Senator Buchanan, for the Committee on Banks, Insurance & Claims: SB 6, prohibiting school boards requiring students to be insured. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to school boards purchasing
accident or injury insurance.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 School Boards Authorized to Purchase Accident or Injury Insurance. Amend RSA 189:15 by inserting in line three after the word "schools" the following, and may purchase, at the expense of the district, accident or injury insurance covering all students while participating in any school activity or may make such insurance available at the option and expense of the parent or guardian of each student, so that said section as amended shall read as follows: 189:15 Regulations. The school board may, subject to the supervision of the state board, prescribe regulations for the attendance upon, and for the management, classification and discipline of, the schools; and may purchase, at the expense of the district, accident or injury insurance covering all students while participating in any school activity or may make such insurance available at the option and expense of the parent or guardian of each student; and such regulations, when recorded by the district clerk, and when a copy thereof has been given to the teachers and read in the schools, shall be binding upon pupils and teachers.

Senator Buchanan: "Mr. President, this bill, as you and members of the Committee know, stirred up quite a (not controversy) but I think it woke up the Department of Education a little bit. Up to the present time, the School District has been able to require that parents buy accident insurance on their children before they allow them to participate in scholastic sports. This, in effect, is compulsory insurance which is not in accordance with our thoughts about insurance in this state. At the same time, many School Districts felt that by requiring students to have accident insurance, they, themselves, as the School Board, were being released from any liability that might have been incurred. We finally convinced them that they ought to protect themselves too, as well by asking the people participating to protect himself. This amendment does exactly that. It authorizes the School or School District to purchase group

accident policy which will cover not only scholastic accidents, but also accidents in labs, etc., and offers the option to parents of buying insurance themselves, but they may not require it as a prerequisite to participate in athletics or any other phase of the school program. This bill attracted a great deal of interest from the Education Department, from the New Hampshire Interscholastic Athletic Association but at the continued hearing yesterday afternoon, all present were in accord that this bill, as now amended, meets all contingencies and they were satisfied. I would like to state on the floor here the Committee's appreciation to the former President of the Senate, Philip S. Dunlap, who did a great deal of work and was very helpful in drafting this amendment."

Senator Lamontagne: "Mr. President, I think the sponsor of the bill will be very surprised to hear that I seconded the motion in committee. As other Senators know, I was very strongly opposed to this SB 6, but I do believe that the amendment as presented takes care of the matter that I was worried about and with the help of our Senate Counsel, along with the past President of the Senate, Philip S. Dunlap, who was very helpful in clearing up some of the issues that I was questioning, I am well satisfied."

Senator Foley inquired of Senator Buchanan: "May a School Board then put on their own recommendation and require that all students have this insurance?"

Senator Buchanan: "The purpose of this was that School Districts require a student or his parents to buy accident insurance as a prerequisite to participate in interscholastic athletics. It is up to the School District to insure them."

Senator Foley inquired: "It is up to the parent?"

Senator Buchanan: "It may be purchased at the expense of the District."

Senator Foley: "Will this put a burden on the School District instead of on the parent?"

Senator Buchanan: "The School District has always had this and it is very fortunate that they have not been taken right out of their shoes."

Senator Lamontagne: "Also, what this will do — if a student is going to be on a football team, that the matter be re-

ferred to the City Council as to whether or not the City will pay for the cost of this insurance, or paid by the parents. They will make the decision."

Senator Foley: "I would like to say that at the time this bill came up — which I think was the last of January or the first of February, the School Board in Portsmouth told me that they were against the bill. I have not seen the amendment and I do not know if they would be for it now or not. I think we should have a little more time."

Senator Lamontagne: "I don't see anything wrong with it."

On motion of Senator Foley, the Senate voted to make further consideration of the above entitled bill, Committee Report, and proposed amendment a Special Order of Business for next Wednesday morning at 11:01.

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

Committee Report (continued)

Senator Lamontagne, for the Committee on Public Works & Transportation: SJR 3, relative to an access road from Route 16 to land of Fred Nason. Inexpedient to legislate.

On a *viva voce* vote, the recommendation of the Committee, Inexpedient to Legislate, was adopted by the Senate.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills and House Joint Resolution:

HB 41, An Act prohibiting the sale of sweepstakes tickets by unauthorized persons.

HB 208, An Act relative to licensing of chiropractors.

HB 431, An Act relative to bonded indebtedness of the town of Peterborough for water-works.

HJR 16, Joint Resolution providing for a supplemental appropriation for the division of vocational rehabilitation.

Eda C. Martin
For the Committee

The report was accepted.

Introduction of Guests

As the guests of Senator Howard, from the Sweepstakes Commission, Mr. Henry Turcott accompanied by Mrs. Landon.

Resolution

Senator Martel offered the following Resolution which was unanimously adopted:

Whereas, Good Friday occurring April 16, 1965; and

Whereas, Being publicly mindful and fully appreciative on this eventful anniversary; now, therefore, be it

Resolved, That we, the members of the Senate, do hereby move to observe at the present moment, a one minute period of silent meditation to commemorate the sufferings and the death on the Cross, of the Son of the Living God, Our Lord and Saviour, JESUS CHRIST, for the salvation of mankind.

The President recognized Senator Hunter: "Mr. President, I wish to inquire if you have any information as to the condition of our Assistant Clerk?"

The Chair: "I was at the hospital at 10 o'clock this morning and I would say his condition is about the same. They are still running tests to determine just what the trouble is. I believe he is a little more comfortable than he was yesterday. We will know more sometime within the next twenty-four hours."

The Chair recognized Senator Buchanan: "Mr. President, in his inaugural address, the Governor announced plans for the reorganization of the present Department of Resources & Economic Development. In view of the fact that a short time remains and this is a very important bill, I, as acting Chairman of this Committee, urgently ask the Finance Committee to join us at a hearing on April 27th, one-half hour after the last body adjourns in Representatives Hall, in order that you

may hear the testimony as it will have to go to your Committee, after passage."

The Chair: "The Chair would state at the present time that the Committee on Finance will participate in the Joint Hearing to save many people making a second trip back to Concord for that particular bill. This is not a Joint Hearing of the House and Senate Committees, but rather a Joint Hearing of the two Committees of the Senate — Executive Depts. and Finance."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bill

HB 172, to increase the public revenue from the tax on public utilities.

On motion of Senator Waterhouse, the Senate refused to reconsider its action on the above entitled bill.

On motion of Senator Rinden, the Senate adjourned at 12 o'clock noon, to meet next Tuesday morning at 11 o'clock.

TUESDAY, April 20, 1965

The Senate met according to adjournment.

Senator Waterhouse, District No. 19, presiding.

A quorum was present.

Leave of Absence

Senator Paquette was granted leave of absence for the day on account of illness.

Introduction of Guests

As the guests of Senator Blaisdell, his wife Peggy, his sister Beverly Linstrom, and his mother, Mrs. Mary Blaisdell.

As the guest of Senator Howard, former Senator Kenneth Hartman of Derry.

As the guest of Senator Lamontagne, the son of Representative Otto H. Oleson of Gorham, Eric Jon Oleson, graduate of New Hampshire Technical Institute and now serving in the U. S. Army.

House Message — First & Second Reading of Bills

HB 13, relating to frozen desserts. Referred to Public Health, Welfare & State Institutions.

HB 97, relative to police authority of the director of aeronautics and his field and office assistants. Referred to Judiciary.

HB 115, increasing the per diem rate of members of the chiropractic examiners. Referred to Executive Depts., Municipal & County Government.

HB 124, relating to definition of shellfish. Referred to Public Health, Welfare & State Institutions.

HB 130, relating to identification of purchasers of real estate. Referred to Judiciary.

HB 231, relating to the Woodsville Free Library and the Woodsville fire district. Referred to Executive Depts., Municipal & County Government.

HB 375, to authorize the nomination of trustees of the Nashua Public Library to joint ballot of the trustees and aldermen. Referred to Nashua Delegation: Senators Buchanan and Paquette.

HB 480, relative to Fall Mountain Regional School District. Referred to Education.

HJR 28, in favor of George S. Wildey et al. Referred to Finance.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 122, expanding the duties and powers of the State Apprenticeship Council.

Introduction, First & Second Reading of Senate Bills

SB 81, relative to the establishment of a state rifle range. (Riley) Referred to Resources, Recreation & Development.

SB 82, relative to planning for the future development of Great Bay. (Hunter) Referred to Resources, Recreation & Development.

SB 83, relative to the New Hampshire State Port Authority and the operation of air transportation facilities. (Hunter) Referred to Resources, Recreation & Development.

SB 84, requiring reporting by physicians and institutions of certain physical abuse of children. (Johnson) Referred to Judiciary.

Committee Reports

Senator English, for the Committee on Education: SB 60, relative to the Board of Trustees of the University of New Hampshire. Ought to pass.

Senator English: "Mr. President, the distinguished Senator from the 12th District has certainly come up with a very fine bill. It was supported by all and opposed by no one. This bill increases the members of the Board of Trustees of the University of New Hampshire by two additional alumni members."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Ways & Means:

HB 162, providing for reimbursement of loss of taxes on federal and state owned forest lands. Ought to pass.

Senator Buchanan: "Mr. President, at the present time, towns, and cities with federal and state owned forest lands within their boundaries receive only one-half of the tax money from the state and federal government. This bill would provide that the community receive the full tax benefit from the state or federal government. It has the support of the State Tax Commission and the figure would net the state about \$25,000 per year. It was unanimously reported as ought to pass."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 171, to increase the public revenue from the tax on legacies and successions. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first four lines and inserting in place thereof the following:

1 Inheritance Taxes. Amend RSA 86:6 (supp) as amended by 1963, 112:1 by striking out in line eighteen the words "eight and one-half" and inserting in place thereof the word, ten, so that

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 172, to increase the public revenue from the tax on public utilities. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first four lines and inserting in place thereof the following:

1 Public Utilities. Amend RSA 83-B:2 (supp) as inserted by 1959, 86:1 by striking out in line three the word "eight" and inserting in place thereof the word, nine, so that said section, as

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 72, to reclassify a Class V highway in the town of Rindge to a Class III highway. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Highway in Rindge. Amend paragraph II of RSA 231:6-a as inserted by 1961, 170:1 by striking out said paragraph and inserting in place thereof the following: II. The Annett state park road in the town of Rindge beginning at the Cathedral of

the Pines and running to the southern boundary of Annett state reservation, and from said southern boundary of Annett state reservation a distance of 0.37 miles, to the southern boundary of the town of Jaffrey, and which runs through the Annett state reservation for its entire length.

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 38, An Act to reclassify a Class II highway in the town of Bartlett to a Class V highway.

HB 78, An Act to reclassify a Class II highway in the town of Durham to a Class V highway.

HB 122, An Act expanding duties and powers of the State Apprenticeship Council.

Eda C. Martin
For the Committee

The report was accepted.

Communication

April 19, 1965

Honorable Stewart Lamprey, President
New Hampshire State Senate
State House
Concord, New Hampshire

Mr. President:

I would like to announce to you, and through you, to the Senate membership, that effective Thursday, April 22, 1965, the services which have been provided to both branches of the legislature at the request of Commissioner Rhodes, of the Department of Safety, will terminate.

As you know this service pertained to automotive registration activity, and was designed by Commissioner Rhodes with the approval of the Senate President, to give an added conveni-

ence to the House and Senate where those matters were concerned.

For myself, Mr. President, I would like to say that it has been a pleasure working for both the Commissioner and the membership of the Senate. I would like to thank the Senate for the patience and courtesy it has accorded me, as I attempted to fulfill the duties of this new position.

Sincerely,

Roy Morrill

mp:rm

Introduction of Guests

As the guests of Senator English, a group of students from the Meeting School in Rindge.

The Chair recognized Senator Buchanan: "Mr. President, it is my great privilege and pleasure to introduce to the Senate one of its former members and our present Congressman from the 2nd Congressional District, James C. Cleveland."

The Chair invited Congressman Cleveland to the rostrum and invited him to speak.

Congressman Cleveland spoke briefly to the members of the Senate, expressing his pleasure at being here again in the Senate where he had served twelve years. The Congressman announced his District Office at 136 North Main Street here in Concord was open daily and invited all to drop in there for any assistance and information needed. He spoke of the importance of Resolutions sent down to Washington from both Houses of the General Court. Congressman Cleveland wished to express his concern, along with the other Senators, of Senator Paquette in his present illness and stated that Senator Paquette is the only Senator that was serving in the Senate at the time he first came to the Senate in 1950.

The Clerk announced that our Assistant Clerk of the Senate, Bill White, was improving but would not be able to be with us for a week or two, at least.

On motion of Senator Martel, the rules of the Senate were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session**Third Reading & Final Passage of Bills**

SB 60, relative to the Board of Trustees of the University of New Hampshire.

HB 162, providing for reimbursement of loss of taxes on federal and state owned forest lands.

On motion of Senator Provost, the Senate adjourned at 11:55 a.m.

WEDNESDAY, April 21, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator Paquette was granted leave of absence for today and tomorrow on account of illness.

Introduction of Guests

As the guest of the entire Senate, former Senator Kenneth Hartman of Derry.

As the guests of Senator Waterhouse, Mrs. James T. Green, Jr., and Mrs. Roy Gilbert of Derry and Mrs. Edward M. Fleischer of Manchester.

House Message — First & Second Reading of Bills

HB 71, appropriating funds for the state nursing scholarship program. Referred to Committee on Finance.

HB 147, relating to verification of savings accounts. Referred to Banks, Insurance & Claims.

HB 224, relating to the powers of banks and other like institutions. Referred to Banks, Insurance & Claims.

HB 275, relative to open season for taking hares and rabbits. Referred to Fisheries & Game.

HB 291, relating to fees in the superior court. Referred to Judiciary.

HB 301, to revise the charter of the city of Rochester to adjust the salaries of mayor and councilmen. Referred to Executive Depts., Municipal & County Government.

HB 311, providing for an increase in the amount of the guaranty fund required of credit unions as a prerequisite to the payment of dividends. Referred to Banks, Insurance & Claims.

The Message further stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 72, to reclassify a Class V highway in the town of Rindge to a Class III highway.

HB 171, to increase the public revenue from the tax on legacies and successions.

HB 172, to increase the public revenue from the tax on public utilities.

The Message also stated that the House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Whereas, The first free public library in the world supported by taxation founded in 1833 in the town of Peterborough, New Hampshire, and

Whereas, December 14, 1965 will be the two hundredth anniversary of the birth of the Rev. Abiel Abbot whose inspiration made this library possible, therefore be it

Resolved, by the House of Representatives, the Senate concurring:

That we, the Members of the 1965 General Court of New Hampshire respectfully request the President of the United States and the Postmaster General of these United States to issue a suitable commemorative stamp on the anniversary of the birth of the Rev. Abiel Abbot, and be it further

Resolved, That a copy of these Resolutions be forwarded to the President of the United States, the Postmaster General and to our Senators and Representatives in Congress.

On a *viva voce* vote the resolutions were adopted.

Senator English: "Mr. President, this Concurrent Resolution has my whole and complete approval and I hope that the Senate will go along with it. This extension of educational facilities on a free basis by the town of Peterborough, and later by the entire state, was an important advance in educational process. I move that the Senate concur."

The Senate voted to concur in adoption of the above Concurrent Resolution.

Introduction, First & Second Reading of Senate Bill

SB 85, relative to the town of Hampton municipal development authority. (Hunter) Referred to Resources, Recreation & Development.

Committee Reports

Senator English, for the Committee on Education: SB 59, making appropriation for educational television. Ought to pass.

Senator English: "Mr. President, this bill must go to the Finance Committee, under the rules. Briefly, this strongly supported proposal which has no known opponent, would extend the educational television facilities into the north country and the western fringe of the state."

The bill was referred to the Finance Committee, under the rules.

Senator Martin, for the Judiciary Committee: HB 278, making amendments to the Uniform Commercial Code. Ought to pass.

Senator Johnson: "Mr. President, this bill relates to some changes to the Uniform Commercial Code which we passed here in New Hampshire approximately four or five years ago. This Code is about 2,000 pages in length and has been passed by a number of states. It is hoped, in time, that this bill will be passed in all states. As time has gone on, there have been

some technical changes that have to be made. The sponsors of the bill in the first place have asked that these changes be passed. That is what this bill is all about."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: HB 4, relative to the labeling of hazardous substances.

Senator Gardner: "Mr. President, through required labeling, it alerts parents and consumers as to the possible dangers of a product within a package. This uniform act further allows the State through its regulatory agencies the power to cooperate with neighboring states and the federal government on actionable products. It prohibits the merchandising of packages containing hazardous substances for household use that are classified as toxic, corrosive, irritants, strong sensitizers or flammable unless their cartons or containers are properly labeled and bear the 'signal words' required by the act. It is not the item that is in violation, but rather the lack of precautionary labeling required to appear as a warning."

The bill was ordered to a third reading.

Senator Gardner; for the Committee on Public Health, Welfare & State Institutions: HB 14, relative to misbranding of drugs containing narcotics. Ought to pass.

Senator Gardner: "Mr. President, when the narcotics act was passed last year, inadvertently a paragraph was repealed and that paragraph is quite necessary in requiring that certain drugs bear labeling 'Warning — May be Habit Forming.' Since some of these drugs are narcotics, the paragraph was deleted since we assume it was felt that the new narcotic law filled the gap. Actually, it does not. Actually, this paragraph was not in conflict with the new narcotic law, but is definitely needed as a part of the state's drug labeling law. The narcotic law is not a labeling law, but a manufacture and possession law."

The bill was ordered to a third reading.

Senator Blaisdell, for the Committee on Liquor Laws: SB 63, providing for the forfeiture of liquor found in the possession of a minor. Ought to pass.

Senator Blaisdell: "Mr. President, this bill was introduced by me at the request of the Commission. I might say that in one paragraph we had many ideas as to how to dispose of this liquor by the Senate. But we all went along and recommend that the bill ought to pass."

Senator Johnson inquired: "What does happen to this liquor?"

Senator Blaisdell: "It is left up to the discretion of the courts."

The bill was ordered to a third reading.

Senator Green, for the Committee on Military & Veterans' Affairs: HB 116, redefining a World War I veteran in connection with claim for burial expenses. Ought to pass.

Senator Green: "Mr. President, this is just redefining a World War I veteran in connection with burial expenses. The time to qualify as a World War I veteran was from April 6, 1917 to November 11, 1918. Because of extended World War I service, this extends the time to July 21, 1919."

The bill was ordered to a third reading.

Guests

The President welcomed to the Senate, the Republican women from the counties of Rockingham and Strafford who are visiting the Legislature today as a part of a program of "Legislative Days" being sponsored by the Women's Division of the Republican Party.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 72, An Act to reclassify a Class V highway in the town of Rindge to a Class III highway.

HB 171, An Act to increase the public revenue from the tax on legacies and successions.

HB 172, An Act to increase the public revenue from the tax on public utilities.

Eda C. Martin
For the Committee

The report was accepted.

Resolution

Senator Lamontagne offered the following Resolution, which was unanimously adopted:

Whereas, Louis W. Paquette, Senator from the 13th District for several sessions, is ill in hospital, therefore be it

Resolved, That we, the members of the Senate of the General Court, hereby extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the Senate transmit to Senator Paquette a copy of these resolutions.

Special Order of Business for 11:01

Senator Buchanan called for the Special Order.

Same being: Consideration of Committee Report, Ought to pass with amendment, on: SB 6, prohibiting school boards requiring students to be insured.

Amend the title of the bill by striking out the same and inserting in place thereof the following

AN ACT

relative to school boards purchasing
accident or injury insurance.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 School Boards Authorized to Purchase Accident or Injury Insurance. Amend RSA 189:15 by inserting in line three after the word "schools" the following, and may purchase, at the expense of the district, accident or injury insurance covering all students while participating in any school activity or may make such insurance available at the option and expense of the parent or guardian of each student, so that said section as amended shall read as follows: 189:15 Regulations. The school board may, subject to the supervision of the state board, prescribe regulations for the attendance upon, and for the man-

agement, classification and discipline of, the schools; and may purchase, at the expense of the district, accident or injury insurance covering all students while participating in any school activity or may make such insurance available at the option and expense of the parent or guardian of each student; and such regulations, when recorded by the district clerk, and when a copy thereof has been given to the teachers and read in the schools, shall be binding upon pupils and teachers.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Introduction of Guests

As the guests of the Senate, a group of ladies from the League of Women Voters in Durham.

As the guests of Senator Waterhouse, Mrs. MacDonald, Mrs. Brown and Mrs. French, all of Derry.

As the guests of Senator Bergeron, the gals from Rochester, Mrs. Norma Studley Currier, Mrs. Lamontagne, Mrs. Taylor and Mrs. Ethel Canney.

Guests

As the guests of Senator Tufts, the following ladies from Rockingham County: Ruth Sampson, Nettie Kemp, Katrina Park, Margaret Woods, Gladys Adams, Virginia M. Farmer, Dorothy P. McLeod, Isabell Macomber and Ann Glennon.

As the guest of Senator Gardner, and the entire Senate, Mrs. Ethel Canney, the State President of the Republican Women's Federated Clubs of New Hampshire.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

SB 6, relative to school boards purchasing accident or injury insurance.

SB 63, providing for the forfeiture of liquor found in the possession of a minor.

HB 4, relating to the labeling of hazardous substances.

HB 14, relative to misbranding of drugs containing narcotics.

HB 116, redefining a World War I veteran in connection with claim for burial expenses.

HB 278, making amendments to the Uniform Commercial Code.

On motion of Senator Lamontagne, the Senate adjourned at 12:23 p.m.

THURSDAY, April 22, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Gove, Mr. Ouelette, History and Government teacher in New Boston High School, and his class.

House Message — First & Second Reading of Bills and Joint Resolutions

HB 198, relative to adoption of building codes and fire prevention codes by cities. Referred to Executive Depts., Municipal & County Government.

HB 399, relating to investments of savings banks. Referred to Banks, Insurance & Claims.

HB 434, relating to a water supply for the town of Deerfield. Referred to Resources, Recreation & Development.

HB 489, legalizing proceedings at the town meetings March 10, 1964 and March 9, 1965, in the town of Bow. Referred to Executive Depts., Municipal & County Government.

HB 510, legalizing the proceedings of the annual Plymouth village fire precinct meetings held at Plymouth, March 11, 1965. Referred to Executive Depts., Municipal & County Government.

HJR 5, in favor of Kaston R. Zablackas. Referred to Banks, Insurance & Claims.

HJR 18, in favor of Harry L. Hurlbert. Referred to Banks, Insurance & Claims.

Introduction, First & Second Reading of Senate Bills

SB 86, changing part of the boundary line between the towns of Auburn and Hooksett. (Waterhouse & Riley) Referred to Executive Depts., Municipal & County Government.

SB 87, relative to compensation of the policemen of the city of Portsmouth. (Foley) Referred to Executive Depts., Municipal & County Government.

SB 88, naming a bridge the Strawberry Banke Bridge (Hunter) Referred to Public Works & Transportation.

On motion of Senator Hunter, printing of the above entitled bill was dispensed with.

SB 89, to make the salary of city, town and school district employees subject to trustee process. (Rinden) Referred to Judiciary.

SB 90, raising the maximum amount of group life insurance allowed to be written for two or more employers in the same industry or two or more labor unions. (Buchanan and Gove) Referred to Banks, Insurance & Claims.

SB 91, relating to acquisition of land and dams by the water resources board. (Gove) Referred to Resources, Recreation & Development.

SB 92, relative to costs in actions against sureties. (Rinden) Referred to Judiciary.

SB 93, relative to exemption from taxation of certain railroads. (Johnson) Referred to Ways & Means.

Committee Reports

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: SB 62, relative to lease or purchase of voting machines. Ought to pass.

Senator Buchanan: "Mr. President, this bill, introduced by Senator Tufts, would permit municipalities, towns and cities, to utilize voting machines on a trial basis without obligating them to purchase same. At the present time, they must purchase the voting machine and are not permitted to take them on a trial basis. There was no opposition and the committee recommends that the bill ought to pass."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 23, to provide additional retirement to retired members of the policemen's retirement system. Ought to pass.

Senator Buchanan: "Mr. President, briefly, the policemen's retirement fund adds some \$1200 a year to certain policemen in specific categories. They need an additional appropriation because the fund does not generate enough money because of the category they are in. This may be the last year that this special appropriation will be needed."

The above entitled bill was referred to the Committee on Finance, under the rules.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 179, relating to unincorporated places. Ought to pass with amendment.

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Takes Effect. This act shall take effect ninety days after its passage.

Senator Buchanan: "Mr. President, there are 19 unincorporated places in the north country. Some have no population and others have a very small population. There are ap-

proximately 70 to 80 persons living in these places on a year round basis. The purpose of this bill is to close a gap in the existing law. Under present law it is possible for inhabitants of these unincorporated places to organize for the purpose of holding elections and exercising the duties and powers of a town. This bill would eliminate that except for the purpose of holding elections, and would require authorization from the General Court for the town to incorporate. This gives some degree of protection against the exercise of town powers by a very small number of people in an unrealistic way.

"The amendment was requested by the town of Wentworth's Location to give them an additional 30 days in which to close out their affairs before this bill takes effect."

Senator Lamontagne: "Mr. President, another thing — going back to what has been said about Wentworth's Location — this was never incorporated. This was discovered in 1963. I think this is a good bill."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 325, relative to early land acquisition by Lebanon Housing Authority. Ought to pass with amendment.

Amend the bill by striking out the title and inserting in place thereof the following:

relating to early land acquisition by
housing authorities.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Takes Effect. This act shall take effect upon its passage.

Senator Buchanan: "Mr. President, this bill was originally drafted to give relief to Lebanon. It was amended by the House Committee to include all housing authorities in New Hampshire. The purpose of the bill is to avoid the hardships to which residents are subjected because of the delay involved in securing Federal approval of the plans. Under this bill, property can be acquired as soon as it is definite the plan will take place. There was no opposition at either the House or Senate hearings

and it was supported at the House hearings by representatives of all the Housing Authorities in N. H. The title has been amended in conformity with the context of the bill and the date of passage has been amended so it will become effective upon passage."

Senator Martel inquired of Senator Buchanan: "Do I understand correctly at the hearing, that the passage of this bill would take care of the contents of SB 78 — was not this brought out at the hearing yesterday? The contents of SB 78 would in effect accomplish what HB 325 would accomplish if it passes."

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

Senator Buchanan: "Mr. President, the Committee moves the adoption of this amendment. The problem here seems to be that the fire which occurred in the city of Lebanon recently has caused pressure on the Housing Authority of that city. The bill was originally drafted to give relief to that city. At the House hearing, other Housing Authorities around the state that have similar, and dissimilar problems to Lebanon, requested that the bill be amended so as to be all inclusive with all Housing Authorities in the cities. Senator Green has introduced SB 78 which would accomplish everything which the House amendment to this bill would do. However, the title of this bill still reads 'Lebanon' which is somewhat misleading. If this amendment can be adopted, I will move that this bill be referred to the Judiciary Committee for further hearing jointly in connection with SB 78 which has been posted for public hearing on Tuesday, the 4th of May."

The amendment was adopted.

On motion of Senator Johnson, the Senate voted to refer the above entitled bill to the Judiciary Committee.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 328, abating interest on taxes if the tax bills are not timely sent. Ought to pass.

Senator Buchanan: "Mr. President, This was introduced at the request of the Tax Commission. At times it is not pos-

sible for the assessing officials to get their warrants to the collectors in time to have bills sent out on time. This has been true particularly in cases of revaluation with the result that the property owners have not had sufficient notice of what their tax bills will be. In the case of revaluation, the amount of the bill may be changed substantially and the instances where it is considerably higher have been frequent. This would give the property owner at least 30 days in which to raise the money to pay the tax."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 347, requiring the posting of abatements in the invoice book on file with the town clerk. Ought to pass.

Senator Buchanan: "Mr. President, This is a housekeeping bill introduced at the request of the Tax Commission. This requires the Town Clerk to make a notation in red showing the amount of abatement next to the amount of tax so that the net result of the assessment on a particular piece of property will appear in the same book. This will make a public record of doings of assessment officials and will make the information available to the public so that no improper abatements can be made, and will place a check on the assessing officials so far as abatements are concerned."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 419, legalizing and confirming certain actions and proceedings in the town of Charlestown. Ought to pass.

Senator Buchanan: "Mr. President, this was introduced at the request of the selectmen of Charlestown. When the warrant was posted the Town Clerk forgot to copy the attesting certification into the permanent records. This is a technicality but it was agreed the meetings from 1950 to the present should be legalized in order to protect the zoning which they had voted."

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 425, legalizing the proceedings at the annual town meeting held in the town of Plainfield on March 9, 1965. Ought to pass.

Senator Buchanan: "Mr. President, When the warrant was drawn up there was omission of the authorization 'to incur debt in anticipation of taxes.' This was submitted as a motion at the meeting under Article 4 of the warrant. This was voted at the meeting. HB 425 would legalize the meeting."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 430, legalizing the proceedings at the regular meeting of the Enfield fire district on March 10, 1965. Ought to pass.

Senator Buchanan: "Mr. President, there was late posting of the warrant. It was dated February 23 but was not posted until March 1. They held the meeting with the understanding it would be legalized. This bill would accomplish that."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 162, providing for reimbursement of loss of taxes on federal and state owned forest lands. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Forest Lands. Amend RSA 219:32 as amended by 1959, 79:2 by striking out the section and inserting in its place the following:

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Johnson presiding.

Resolutions

Senator Foley offered the following Resolution, which was unanimously adopted:

Whereas we have learned of the tragic drowning of Jerry Lewis Dodson, whose father is stationed at Pease Air Force Base, and

Whereas Jerry lost his life in a heroic attempt to save the life of John Burns, a scuba diver, and

Whereas, this student at Portsmouth High School was admired and respected by both faculty and students at the high school and

Whereas, he was a fine student in class and possessed outstanding athletic ability in the fields of football, basketball and track, therefore be it

Resolved that we, the members of the Senate in General Court convened, do hereby pay tribute to the memory of this outstanding young man, and extend our sincere sympathy to his family and be it further

Resolved, that a copy of these resolutions be transmitted to his parents, Mr. and Mrs. Nelson E. Dodson.

Senator Buchanan offered the following Resolution, which was unanimously adopted:

Whereas, We are delighted to learn our Assistant Clerk, Wilmont S. White, has been able to leave the hospital; and

Whereas, all members of this Senate have been extremely concerned about his progress; now, therefore, be it

Resolved, That we, the members of the Senate, do hereby extend to Mr. White our best wishes for a complete and speedy recovery and return to the Senate; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these resolutions to Mr. White.

Communication

British Embassy,
Washington, D.C.
5 April, 1965.

Dear Mr. Lamprey,

I have been asked by Lady Churchill to thank you for sending to her the Resolution adopted by the Senate and House of Representatives of the State of New Hampshire expressing sympathy with her at the death of her late husband.

Lady Churchill was greatly moved by your message and deeply appreciated the terms in which it was expressed.

Throughout his life Sir Winston Churchill never ceased to work for a closer friendship and understanding between Great Britain and the United States of America. His devotion to liberty and to the unity of the English-speaking peoples will be a lasting inspiration to all of us.

(M.N.F. Stewart)
Chargé d'Affaires a.i.

Mr. Stewart Lamprey,
President of the Senate,
Concord, New Hampshire.

Senator Lamprey presiding.

The President announced that the following Committee Report had been withdrawn at the request of the Chairman and without objection by the Senate: Public Health, Welfare & State Institutions: SB 18, enlarging the advisory commission on health and welfare.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 62, relative to lease or purchase of voting machines.

HB 179, relating to unincorporated places.

HB 328, abating interest on taxes if the tax bills are not timely sent.

HB 347, requiring the posting of abatements in the invoice book on file with the town clerk.

HB 419, legalizing and confirming certain actions and proceedings in the town of Charlestown.

HB 425, legalizing the proceedings at the annual town meeting held in the town of Plainfield on March 9, 1965.

HB 430, legalizing the proceedings at the regular meeting of the Enfield fire district on March 10, 1965.

On motion of Senator Bergeron, the Senate adjourned at 12:34 p.m. to meet next Tuesday morning at 11 o'clock.

TUESDAY, April 27, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guest

As the guest of the entire Senate, the son of the President of the Senate, George Lamprey, who has the distinction of having caught his limit the first day of fishing.

House Message — First & Second Reading of Bills & Joint Resolution

HB 91, to revise the system of filing corporation and trade names with the secretary of state. Referred to Committee on Finance.

HB 189, to provide for cumulative pocket supplements for Revised Statutes Annotated. Referred to Executive Depts., Municipal & County Government.

HB 276, providing for an open season on fisher. Referred to Fisheries & Game.

HB 407, relative to the staff of the New Hampshire National Guard. Referred to Military & Veterans Affairs.

HB 410, providing for recompilation of volume 3 of the Revised Statutes Annotated. Referred to Finance.

HB 462, legalizing proceedings at the town meeting March 9, 1965, in the town of Chesterfield. Referred to Executive Depts., Municipal & County Government.

HJR 32, in favor of John F. Hart, Jr. Referred to Banks, Insurance & Claims.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 47, relative to penalty for taking moose.

The Message also stated that the House refuses to concur with the Senate in the passage of the following captioned joint resolution sent down from the Senate:

SJR 1, in favor of Henry Junior Cassady.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 262, relative to trustee process. Ought to pass.

Senator Buchanan: "Mr. President, this bill will loosen up the present trustee process which is in effect at the time a judgment is levied by the court. As it is now, if A sues B for \$5,000, all of B's assets can be tied up through this trustee process, even though he may have a going business. At the present, any money that is on deposit with that account — it is all included in the trustee funds. This proposed bill has passed the House and has the support of bankers all over the state. This had unanimous support because if this bill is passed, then money which the business man deposits to his account subsequent to the date of the writ will not be tied up and will be available for his use to meet other bills as they become due. The committee unanimously recommends that the bill ought to pass."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 312, to increase the limit of investments of a bank in its banking building and to remove maximum limits of capital stock. Ought to pass.

Senator Buchanan: "Mr. President, I think the title of this bill explains it fully as well as anything I might say. It has the support of the Bank Commissioner and there was no opposition to the bill in the hearing."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 336, relative to investments of building and loan associations. Ought to pass.

Senator Buchanan: "Mr. President, again, I believe the title of the bill adequately explains the bill. It simply protects the secretary of building and loan associations. It has the support of the Bank Commissioner and there was no opposition."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HJR 13, in favor of Edward W. Colby, M.D. Ought to pass.

Senator Buchanan: "Mr. President, this joint resolution goes back to the time some years ago when a certain restaurant in this town sold some chocolate eclairs which were bad. Several people who ate them became ill and I think two people died. At that time, Dr. Colby was the state health officer and in the course of inspection, he was sued by the employee of the restaurant who was found to be a carrier of the 'staph' germ which caused the infection in the food. The man lost his job and sued Dr. Colby who made the discovery. Dr. Colby retained counsel to defend himself in his capacity as state health officer. It was felt that he was entitled to reimbursement by the state as he was serving as state health officer. Dr. Colby is now employed in Hawaii and has not returned to the state. The case did not come to trial, I should add. The restaurant was sued by an heir of one of those who died. Through testimony that developed, it was obvious that Dr. Colby would win his case, but it never came to trial. The amount involved is \$750.00."

The joint resolution was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: SB 64, relative to the practice of architecture. Ought to pass with amendment.

Amend section 2 of the bill by striking out the last seven words and inserting in place thereof the words, one for an initial term of three years and the second for an initial term of five years, so that said section as amended shall read as follows: 2 Number Increased. Amend RSA 310:2 by striking out said section and inserting in place thereof the following: 312:2 Board; Appointments; Term. A state board of registration for architects, hereinafter called the board, is hereby created whose duty it shall be to administer the provisions of this act. The board shall consist of five architects who shall be appointed by the governor with the advice and consent of the council. The term of office shall be six years and until their successors are duly appointed. Each member of the board first appointed hereunder shall receive a certificate of registration under this chapter from said board. On the expiration of the term of any member, the governor shall in the manner hereinbefore provided appoint for a term of six years a registered architect. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor is duly appointed. As of September 9, 1965 the governor shall appoint the two ad-

ditional members of the board of architects, one for an initial term of three years and the second for an initial term of five years.

Amend section 13 of said bill by striking out said section and inserting in place thereof the following:

13 Requirements. Amend RSA 310:21 by striking out the words "oral or" in the first line, by striking out the word "twice" in the second line and inserting in place thereof the word, once, and by striking out the word "ten" in the eighth line and inserting in place thereof the word, three, so that said section as amended shall read as follows: 310:21 Examinations. Written examinations shall be held at least once a year at such times and places as the board shall determine. If examinations are required on fundamental architectural subjects (such as are ordinarily given in college curricula) the applicant shall be permitted to take this part of the professional examination prior to his completion of the requisite years of experience in architectural work. Satisfactory passage of this portion of the professional examination by the applicant shall constitute an examination credit for the ensuing three years. The board shall issue to each applicant upon successfully passing the examination in fundamental architectural subjects a certificate stating that he has passed the examination and that his name has been recorded as an architect-in-training. The scope of the examination and the methods of procedure shall be prescribed by the board with special reference to the applicant's ability to design and supervise architectural work so as to insure the safety of life, health and property. A candidate failing an examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the board.

Amend section 16 of the bill by inserting after the first sentence of RSA 310:25 the following sentence, Nothing in this chapter shall be construed to prohibit a professional engineer from doing such architectural work as is incidental to his engineering work, so that said section as amended shall read as follows:

16 Architecture. Amend RSA 310:25 by striking out said section and inserting in place thereof the following: 310:25 Interpretation. It shall be a violation of this chapter, subjecting

such person to the penalties provided in section 30, for any person, without a certificate of registration from the board, to practice architecture in this state, or to offer, or to advertise or hold himself out to the public, to practice architecture in this state. Nothing in this chapter shall be construed to prohibit a professional engineer from doing such architectural work as is incidental to his engineering work. Nothing contained in this chapter shall be construed to prohibit any person from becoming registered both as an architect and as a professional engineer, providing such person meets the statutory requirements for such registration.

Amend section 20 of the bill by striking out in line 12 the word "three" and inserting in place thereof the word, ten, so that said section as amended shall read as follows:

20 Certificates. Amend RSA 310:28 by striking out said section and inserting in place thereof the following:

310:28 Reissuance of Certificates. The board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, provided three or more members of the board vote in favor of such reissuance. A new certificate of registration to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, and a charge not to exceed ten dollars shall be made for such issuance.

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

Senator Buchanan: "Mr. President, this bill is the first opportunity to change or amend the rules governing the architects in several years. The last change was made about 1949, I believe, although some bills have been introduced since. I have a sheet here by one of the sponsors of the bill which I will read and explain:

All architects are registered and this is a clarification. It brings our architecture statutes into conformity with other states. Oral examinations are eliminated because no half hour or hour oral examination can accomplish as much as the written exam which takes 2 days. One family and two family residences are not recorded as coming under the purview of this. Farm buildings and work done by the U. S. government not under

this bill. Operating procedures of architectural board are being changed from 3 to 5. This is a non-compensatory board. It also increases the quorum from 2 to 3. And the board from 3 to 5. Reports due on December 31st instead of January, as of now. Makes it 10 years now instead of 5 years. Provides for seals on drawings, etc. Now will be \$10 instead of \$5. Increases fee for lost certificates from \$3 now to \$10. They are losing money on replacements at this time, etc.

This bill and amendment had substantial support and no opposition. The committee recommendation was unanimous."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Notice of Reconsideration

Senator Lamontagne: "Mr. President, I have served notice to the Chair that I desire reconsideration of the following entitled bill:

HB 328, abating interest on taxes if the tax bills are not timely sent.

I would like to see this bill recommitted back to the committee for the purpose of looking into this matter a little more. Right now, I see some opposition which I will not mention at the present time. I am sure that it can be taken care of by the committee. That is the reason that it is my desire to recommit the bill."

On a *viva voce* vote, the motion to reconsider prevailed.

On further motion of the same Senator, the above entitled bill was recommitted to the Committee on Executive Depts., Municipal & County Government.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 4, relating to the labeling of hazardous substances, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend RSA 339-A:3 as inserted by section I of the bill by striking out the first five lines and inserting in place thereof the following:

339-A:3 Misbranded Packages. A hazardous substance in a container intended or suitable for household use shall be deemed misbranded, except as otherwise provided in section 5, if it fails to bear a label:

I. Which states conspicuously (a) the

Amend paragraph II of RSA 339-A:3 as inserted by section I of the bill by striking out the first two lines and inserting in place thereof the following:

II. On which any statements required under paragraph I of this section are located prominently

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 14, relative to misbranding of drugs containing narcotics, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Misbranded Drugs. Amend RSA 146:6 as amended by 1961, 222:1 and 1963, 193:6 and 276:2 by inserting after paragraph III the following new para-

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Introduction of Resolution

(relative to control of firearms)

Resolution

Whereas, there is an increasing agitation in Washington to pass bills to control the ownership and use of firearms, which are cardinal rights of citizens of the United States of America, and

Whereas, a new bill has been introduced into the United States Senate by Senator Thomas J. Dodd of Connecticut (S. 1592) which would prohibit all mail order sales of firearms to individuals, and permits such sales only between licensed

importers, manufacturers and dealers, and places such severe and unreasonable restrictions upon reputable citizens who wish to order recreational firearms by mail, and

Whereas, this bill, if passed and written into law would give the Secretary of the Treasury, or his agent, virtually unlimited authority to regulate the sale of firearms by dealers which could result in the institution of stringent controls and prohibitions over such sales, and

Whereas, the founders of the United States in the very first Amendment to the Constitution provided assurances for freedom of religion, of speech, of the press, and of peaceable assembly, and in the second Amendment they made it possible to defend these freedoms by providing that the rights of people to keep and bear arms shall not be infringed, and,

Whereas, any firearms legislation at the Federal level restricting the purchase of firearms by responsible citizens would be a dangerous infringement of these articles of the Bill of Rights and which could lead to administrative decisions imposing such a burden on the sale, possession and use of firearms for legitimate purposes as to completely discourage and eventually exclude the private ownership of all guns, and

Whereas, such restrictive regulations as contained in the Dodd bill against firearms sales could have a crippling effect on the economy of the multi-million dollar a year sales and services business associated with recreational use of firearms in the State of New Hampshire, and would only result in further loss of American liberty, add to the work load of our law-enforcement and police forces, and inconvenience and penalize law-abiding citizens, and

Whereas, federal excise taxes on sales of firearms and other forms of revenue from special licenses and stamps for recreational hunting provide many millions of dollars annually for the conservation and preservation of wildlife of all kinds, and

Whereas, caution and prudence must be observed to protect the constitutional rights of the law-abiding citizen from the possibility that legislating against the delinquent and the criminal does not result in legislating against the citizen of good repute, therefore be it

Resolved, that the ownership of firearms must not be denied reputable American citizens so long as they continue to use them for lawful purposes.

Resolved, that easy accessibility of firearms does not contribute significantly to the crime problem of the United States, and that the target for preventative legislation should be the crime, not the tool used by perpetrators of crimes, and that the members of the New Hampshire Senate go on record as opposing passage of the Dodd bill which appears to be aimed at outlawing firearms rather than punishing the criminal who uses them for illegal purposes. That this Dodd bill could seriously impair the recreational economy of the state and nation, infringe on the Constitutional rights of United States citizens, damage essential wildlife conservation programs, and intrude further federal authority on powers reserved to the States, and be it further

Resolved, that any proposed new regulations should be carefully studied to see if they can accomplish a worthwhile purpose and not just result in further regimentation and inconvenience to responsible citizens, and that the clerk of the Senate be instructed to forward copies of this resolution to the members of the New Hampshire Congressional Delegation.

On motion of Senator Lamontagne, the printing of the Resolution was dispensed with as same will be printed in the Journal.

The above Resolution was referred to the Committee on Fisheries & Game.

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

House Message

The House of Representatives concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 1, to adjust classified salaries of state employees:

Amend the bill by striking out sections 6, 7, 8 and 9 and renumbering section 10 to read section 6.

Senator Bergeron inquired as to the changes.

Senator Johnson: "One change makes it effective as of July 2nd instead of April 1st. The second change puts the appropriation in the budget rather than by this bill itself. It has been estimated that this will save a great deal of money by having the control in the budget. These are the two changes in SB 1 as passed by us. I move that the Senate concur in the amendments offered by the House."

The Senate voted to adopt the amendments offered by the House.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

SB 64, relative to the practice of architecture.

HB 262, relative to trustee process.

HB 312, to increase the limit of investments of a bank in its bank building and to remove maximum limits of capital stock.

HB 336, relative to investments of building and loan associations.

HJR 13, in favor of Edward W. Colby, M.D.

On motion of Senator O'Gara, the Senate adjourned at 12 o'clock noon.

WEDNESDAY, April 28, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Lamontagne, Mr. and Mrs. Whitman Rutter and son Walter. Mr. Rutter is a retired Revenue Officer who formerly lived in Berlin and presently lives in Concord. Also, the following boys from Scout Troop 202 of Gorham; First Class Charles Philippon (the reason he is not a Star Scout at the present time is due to work detail as manager of a basketball team), Star Scout Roland Brault, Star Scout Peter Chadwick, Star Scout Joey Vigue, with Scout Master Howard Gorham and Assistant Scout Master George Lafferty. The boys are working for their National Citizenship Merit badges.

As the guest of Senator Mitchell, his daughter, Mrs. Ruth Loring of Center Ossipee.

As the guests of Senator Saggiotes, his wife Julie, and daughters Susan, Maryann and Nancy, his niece Georgia, and nephew Charles.

As the guests of Senator Tufts, his wife Jean, and sons Peter and Thomas.

As the guest of Senator O'Gara, Neil Robinson, the Republican Chairman of Ward 1 in Dover.

Expression of Thanks and Appreciation

On motion of Senator Waterhouse, the Senate extended a rising vote of thanks and appreciation to Senator Howard for his thoughtfulness in the gift of a framed picture of the Senate to each member of the Senate.

House Message — First & Second Reading of Bills

HB 3, to require the inclusion of an automatic fire protection system in the plans and specifications of state owned buildings. Referred to Public Works & Transportation.

HB 294, giving members of the National Guard limited authority to arrest persons while in active state service ordered

by the governor in case of riot or breach of peace. Referred to Judiciary.

HB 330, relating to the licensing of child-caring agencies and the establishment of an advisory committee. Referred to Public Health, Welfare & State Institutions.

The Message also stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 162, providing for reimbursement of loss of taxes on federal and state owned forest lands.

The Message further stated that the House of Representatives has voted to concur with the Senate in its amendments to the following entitled bill:

HB 179, relating to unincorporated places.

The Message also stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Senate:

SB 47, relative to penalty for taking moose.

On motion of Senator Johnson, the Senate voted to concur in the amendment offered by the House.

Introduction, First & Second Reading of Senate Bills & Joint Resolution

SB 94, amending the charter of the Nashua trust company. (Buchanan) Referred to Banks, Insurance & Claims.

On motion of Senator Buchanan, the Senate voted to dispense with printing of the above.

SB 95, relating to expenses of burial in workmen's compensation. (Johnson) Referred to Labor.

SB 96, relating to compensation for total disability. (Johnson) Referred to Labor.

SJR 9, in favor of Richard J. Houle. (Martin) Referred to Banks, Insurance & Claims.

On motion of Senator Martin, the Senate voted to dispense with printing of the above.

Committee Reports

Senator Riley, for the Committee on Fisheries & Game: SB 49, relative to hunting with muzzle-loaders. Ought to pass with amendment.

Amend section 1 of the bill by striking out in lines thirteen and fourteen the words "earliest open season for taking deer anywhere in the state" and inserting in place thereof the following, opening date for the taking of deer as provided for by section 2 of this chapter, as now or hereafter amended, so that said section as amended shall read as follows: 1 Hunting with Muzzle-loaders. Amend RSA 208:5-a, as inserted by 1963, 315, by striking out the same and inserting in place thereof the following: 208:5-a Muzzle-loaders. A person who has complied with the licensing requirements relative to hunting deer pursuant to RSA chapter 214, as amended, upon payment of a fee of three dollars by residents or a fee of four dollars by non-residents shall be issued a special license. Said special license shall entitle the holder to hunt deer with a muzzle-loading rifle or musket, of not less than .40 caliber, on the Friday, Saturday, and Sunday immediately prior to the opening date for the taking of deer as provided for by section 2 of this chapter, as now or hereafter amended.

* * *

Senator Riley: "Mr. President, the amendment was drafted because in talking with Mr. Cram of the Fish & Game Department, he pointed out that due to the pre-season for deer hunting, this would have put people hunting with muzzle-loaders hunting in September. We amended the bill which in effect makes this season just prior to the opening of the regular hunting season. That is the reason for the amendment."

The amendment was adopted.

Senator Riley: "Mr. President, many of you perhaps who were here last session remember a very humorous piece of legislation, which was brought in by Senator DeLude. Its passage was perhaps humorous to members of the House and Senate, but when the bill was enacted into law, it was found it was

not too humorous. After the hurried ending of the session, the people interested in hunting with muzzle-loaders found that they had to buy a regular hunting license, also a pre-season bow and arrow license and a pre-season muzzle-loading license which meant paying about \$10 in license fees for one day of hunting. A non-resident would buy a non-resident license, \$25, plus a pre-season license for bow and arrow plus the license for using the muzzle-loader — for only using same for one day. Representative DeLude had intended to amend this bill and make some changes this session. She found out that I was interested in muzzle-loading shooting and she was very happy to let me take care of this legislation. I feel that this is good legislation. It introduces a method of hunting which gives game a chance. Everything that has come into general use in recent years has been to dissipate game. Faster cars to get faster to places for hunting — better roads to get there faster, etc. Archery is of interest to some people. But others — perhaps, women — and others who are not capable of drawing a heavy bow would find this method of hunting more appealing. I feel that the muzzle-loader is definitely a handicap as far as the hunting is concerned. There is only one shot — you cannot depend upon a follow-up shot. Then, there is the safety angle — a person is very helpless for the next five minutes, with no follow-up shot available. This long procedure of reloading the muzzle-loader discourages anyone from taking a snap shot at anything moving, etc. Another point that would make this desirable legislation, this would be the first state in the country to have such a law. Several of the sporting magazines would write articles about this and give the state a lot of publicity. A person being fortunate enough or proficient enough to kill a deer with a muzzle-loading weapon would use his deer tag which would preclude him from further deer hunting that year. I ask your support of this bill."

The bill was ordered to a third reading.

Motion

Senator Johnson made the following motion and moved its adoption:

I move that the President of the Senate upon the recommendation of a Committee Chairman is hereby authorized and empowered to hire such legal and other technical assistants as

he shall deem necessary to assist with the drafting of legislation, and that such persons be compensated on an hourly or other basis as the President of the Senate shall determine, and that such compensation shall be made a part of the budget.

Senator Johnson: "Mr. President, the purpose of this motion is simply to ask the Senate to go along with the proposition that we should perhaps be hiring some additional help as the last two months of this session come to a close. As you know, Mr. White, our Assistant Clerk, is now ill. Mr. Marx, our Senate Counsel, is having to fill in on some of the work usually done by the Assistant Clerk which makes a heavy burden on our Senate Counsel. Also, we have before us a number of major pieces of legislation — one of them 127 pages in length and there will be a need for us to have assistance in the drafting of any changes in the present law which we have before us. I have talked with Senator Martel and he is in accord."

Senator Martel: "Mr. President, I am very happy to support the motion now pending. For example, at the public hearing yesterday, there were numerous amendments suggested by those who spoke and in order to give just consideration to some of those amendments — amendments which the administration feels would be of interest in the reorganization of this department — that a resolution such as this would be of interest to all of my colleagues in the Senate; and particularly in order to speed along the legislation that we still have and which must be accomplished before the end of the session on June 30th. I urge my colleagues to support the motion."

The motion unanimously carried.

Committee Reports (continued)

Senator Martin, for the Committee on Judiciary: SB 69, relating to summary judgment. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Summary Judgment Mandatory. Amend RSA 491:8-a (supp) as inserted by 1955, 46:1 and amended by 1959, 264:1 by striking out in lines fifteen and sixteen the words "or such further order made as justice may require"; and in lines seven-

teen, eighteen and nineteen the words "If it shall appear upon hearing that no genuine issue of material fact exists judgment may be entered accordingly." so that said section as amended shall read as follows: 491:8-a Motions for Summary Judgment. In any action founded on contract in which the plaintiff seeks to recover a debt or liquidated demand, either party may, at any time after the defendant has appeared, move for immediate entry of judgment, setting forth with particulars his cause of action or his defense. This motion shall be accompanied by affidavits based upon personal knowledge of admissible facts as to which it appears affirmatively that the affiants will be competent to testify. The facts stated in accompanying affidavits shall be taken to be admitted for the purpose of the motion unless within fifteen days contradictory affidavits based on personal knowledge are filed or the opposing party shall file an affidavit showing specifically and clearly reasonable grounds for believing that contradictory evidence can be presented at a trial but cannot be furnished by affidavits. If such affidavits are not filed by the opposing party within said fifteen days, judgment shall be entered on the next judgment day in accordance with the facts. Copies of all motions and affidavits shall upon filing be furnished opposing counsel. If affidavits are filed but it shall appear upon hearing that no genuine issue of material fact exists. judgment may be entered accordingly.

* * *

Senator Rinden: "Mr. President, this bill amends the summary judgment act to do two things. First, the amendment makes entry of judgment mandatory without a court hearing, if the opposing party fails to file a contradictory affidavit within fifteen days. Secondly, the amendment requires the court to have a hearing if a contradictory affidavit is filed, in order to determine if such affidavit is sufficient. If the court finds that the contradictory affidavit is not sufficient, it shall grant judgment on the basis of the affidavits offered without further hearing."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SB 74, relative to placing a person on probation. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Requirement of Prior Report May be Waived. Amend RSA 504:2 by adding at the end of the first sentence thereof the words, provided that a justice of the superior court having jurisdiction may waive such investigation and report if he is satisfied they are not necessary, so that said section as amended shall read as follows: 504:2 Investigations. No defendant shall be placed on probation until the report of the investigation by a probation officer shall have been presented to and considered by the court having jurisdiction, provided that a justice of the superior court having jurisdiction may waive such investigation and report if he is satisfied they are not necessary. Whenever a petition for the appointment of a guardian over a minor under eighteen years of age is filed in any court of probate, the judge thereof may cause an investigation and report to be made by a probation officer for his consideration.

Senator Johnson: "Mr. President, the purpose of the amendment to this bill and the purpose of the statute itself is to give the superior court judge the discretion to put a person on probation without waiting for the report of the probation department in cases where the judge feels that the report is not needed. The probation officers are sometimes overworked; and people stay in jail for two weeks or more. This costs the county money and it is unfair to the person involved."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 241, to provide an additional penalty for failure to appear in court after release on bail. Ought to pass.

Senator English: "Mr. President, HB 241 is designed to encourage the courts to release certain prisoners on their own recognizance rather than to have them post bail. A penalty is provided for failure of the accused to appear. It was felt this bill would give justice to the humble citizen who was unable to post bail and who might, in some cases, be held from April to October awaiting trial."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 242, to authorize waiver of jury trial in certain cases. Ought to pass.

Senator English: "Mr. President, HB 242 is designed to avoid embarrassment to a judge, or prosecutor in the case of a trial involving a great deal of publicity. In such a case, the court could in the interest of justice insist on a jury trial even though the defendant wished to waive trial by jury."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 269, relating to complaints alleging speed violations. Ought to pass.

Senator English: "Mr. President, HB 269 corrects a change made in the statutes in the 1963 session when the Uniform Motor Vehicle Code was adopted. This required a police officer to specify the speed of a motor vehicle in case of arrests for speeding. This bill would change it back to 'excessive and unreasonable speed.' William O'Neil, Assistant Attorney General, appeared for the bill."

The bill was ordered to a third reading.

Introduction of Guests

As the guests of Senator Riley, Mrs. Glenn McKennon accompanied by Goffstown Cub Scouts.

As the guests of Senator Riley, on behalf of Senator Paquette, the following students of Presentation of Mary Academy, Hudson, N.H. accompanied by their Principal, Sister M. Madeleine de l'Eucharistie.

Bernadette Lagasse, Marie LeMay, Cynthia Arnold, Patricia Pratte, Janine Charron, Cecile Gauthier, Camile Poisson, Donna Therrien, Anne Michel, Beatrice Hatfield, Theresa Dufresne, Rita Brosseau, Marion Edwards, Suzanne LeMay, Suzanne Richard, Irene Roy, Jeannine Turcotte, Joanne Ouellette, Suzanne Blanchette, Mary Anne Lesiczka, Pauline Dufault, Francine Gauvin, Donna Comeau, Ginette Fontaine, Judith Gelinas, Alice Sudol, Jeanne Flanders, Linda Munday, Jacqueline Fortier, Denise Matte, Michele Cote, Colette Levy, Jeannarie Mullin, Nancy Sheppard, Louise Charbonneau, Linda Maskiewicz, Jacqueline Dufour, Dianne Bosse, Louise Migneault, Joanne Cote, Jo-Ann Robert, Mary Jane Robert, Cynthia Cook, Mary Ellen Quirke, Denyse Lavallee, Doris Bergeron, Juliette Boisvert.

As the guest of Senator Hunter, Mr. Russell Call, a teacher in the Hampton school system.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 116, An Act redefining a World War I veteran in connection with claim for burial expenses.

HB 162, An Act providing for reimbursement of loss of taxes on federal and state owned forest lands.

HB 347, An Act requiring the posting of abatements in the invoice book on file with the town clerk.

HB 419, An Act legalizing and confirming certain actions and proceedings in the town of Charlestown.

HB 425, An Act legalizing the proceedings at the annual town meeting held in the town of Plainfield on March 9, 1965.

HB 430, An Act legalizing the proceedings at the regular meeting of the Enfield fire district on March 10, 1965.

Eda C. Martin
For the Committee

The report was accepted.

Committee of the Whole

On motion of Senator Howard, the Senate voted to resolve itself into a Committee of the Whole, for discussion and explanations of HB 153 and HB 154.

In the absence of any other motion, the Chair stated that the press and guests would be allowed to remain for the Committee of the Whole.

(Committee of the Whole)

The Senate in regular session.

At the request of Senator Lamontagne, the Chair declared a 10 minute Recess.

(Recess)

The Senate re-assembled.

House Message

Mr. President:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Senate:

HB 153, relating to voluntary corporations and associations.

HB 154, (in new draft) to enable the state of New Hampshire, or any political subdivision thereof, to accept gifts of industrial facilities and to lease or otherwise dispose of the same.

The above entitled two bills were read a first and second time.

On motion of Senator Rinden, the rules were suspended to dispense with referral to committee, holding of public hearing on HB 153, and the bill was taken up at the present time.

The bill was ordered to a third reading.

On motion of Senator Rinden, the rules were suspended to dispense with referral to committee, holding of public hearing on HB 154, and the bill was taken up at the present time.

The bill was ordered to a third reading.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 49, relative to hunting with muzzle-loaders.

SB 69, relating to summary judgment.

SB 74, relative to placing a person on probation.

HB 241, to provide an additional penalty for failure to appear in court after release on bail.

HB 242, to authorize waiver of jury trial in certain cases.

HB 269, relating to complaints alleging speed violations.

HB 153, relating to volunteer corporations and associations.

On motion of Senator Rinden, the Senate refused to reconsider its vote on HB 153, above.

HB 154, (in new draft), to enable the state of New Hampshire, or any political subdivision thereof, to accept gifts of industrial facilities and to lease or otherwise dispose of same.

On motion of Senator Bergeron, the Senate refused to reconsider its vote on HB 154 above.

The Chair recognized Senator Bergeron: "Mr. President, under personal privilege. Just for the record, I wish to clarify that I have nothing against the bill or manufacturers interested. My interest is in what is good for the state of New Hampshire. Anything as important as this, I was against the hasty action."

Introduction of Guest

As the guest of Senator Saggiotes: "Mr. Jack Cassle, the personnel manager of the Joy Manufacturing Company, who is responsible for the bill that we have just passed. I would like to say that at some day in the future, we will look back and say that perhaps HB 154 was one of the best pieces of legislation passed at this session, for the growth and betterment of our economic growth."

On motion of Senator English, the Senate adjourned at 1:15 p.m.

THURSDAY, April 29, 1965

The Senate met according to adjournment.

Senator Johnson presiding.

A quorum was present.

Introduction of Guest

As the guest of Senator Blaisdell, his wife Peggy.

House Message — First & Second Reading of Bills

HB 227, relative to airport managers. Referred to Executive Depts., Municipal & County Government.

HB 279, providing for the assessment and collection of a special head tax for state purposes. Referred to Ways & Means.

HB 305, relative to legal length of brook trout in Coos county. Referred to Fisheries & Game.

HB 332, relative to charter of city of Portsmouth. Referred to Portsmouth Delegation, consisting of Senators Foley & Hunter.

HB 337, relating to contributing to delinquency of a juvenile. Referred to Judiciary.

HB 346, to make it unlawful for any person to resist arrest or interfere with a conservation officer in the performance of his duty. Referred to Judiciary.

HB 363, relating to the time within which the invoice assessment records shall be prepared. Referred to Executive Depts., Municipal & County Government.

HB 427, extending the time during which an act relative to a certain bridge over the Merrimack River shall be effective. Referred to Public Works & Transportation.

HB 490, legalizing the annual town meeting of 1965 in the town of Gilford. Referred to Executive Depts., Municipal & County Government.

HB 497, relating to coercion in placing insurance on real and personal property. Referred to Banks, Insurance and Claims.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 4, relating to the labeling of hazardous substances.

HB 14, relative to misbranding of drugs containing narcotics.

The Message also stated that the House has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution

Resolved by the House of Representatives, the Senate concurring:

That joint rule 12. be amended by inserting in line one after the word "resolution" and line ten after the word "resolution" the words, concurrent resolution proposing a constitutional amendment, so that joint rule 12. as amended shall read as follows: 12. No bill, joint resolution, concurrent resolution proposing a constitutional amendment, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the legislature after the third Thursday of the session, nor shall such matters be received in either branch of the legislature from state officers, departments or agencies unless they have been previously filed with the Secretary of State during the month of December, unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two-thirds of the whole number of elected members shall, on division taken, vote in favor thereof, and not otherwise. A bill, joint resolution, concurrent resolution proposing a constitutional amendment, claim or petition shall be considered as having been received within the meaning of this rule if it shall have been delivered to the Clerk of the House in which it is introduced on or before five o'clock in the afternoon of said Thursday of the session: Be it further resolved,

That the joint rules be amended by inserting after joint rule 13. the following new rule: 14. Concurrent Resolutions Proposing Constitutional Amendments. Proposed constitutional amendments shall be submitted as concurrent resolutions entitled: "Concurrent Resolution Proposing a Constitutional Amendment Relating to * * * ", and with a resolving clause in the following form: "Be it Resolved by the (Senate) (House of Representatives), the (House of Representatives) (Senate) concurring, that the Constitution of New Hampshire be amended as follows:" Concurrent resolutions proposing a constitutional amendment shall truly propose to amend or supplement the Constitution and contain only subject matter which genuinely belong in the fundamental law of the state; it being the intention of this rule to exclude therefrom all subject matter which is legislative in nature and all question which are submitted under the guise of constitutional amendments for the

primary purpose of obtaining a popular referendum. Each such concurrent resolution shall set forth the text of the new matter to be inserted in the Constitution and also the text of a question summarizing the amendment, to appear on the ballot proposing such constitutional amendment, shall specify the particular general election at which such question is to be submitted to the voters, and shall state whether it is to appear on the regular or a separate ballot. All such concurrent resolutions shall be read a first and second time by title and referred to the appropriate standing committee for public hearing and report. Amendments to such a resolution shall be in order while the measure is still on second reading. On the question of ordering such a resolution to third reading and final passage, the president and speaker shall require a division vote, unless a roll call is duly requested under the rules and completed. In case of disagreement between the two houses, such concurrent resolutions shall be subject to the usual conference committee procedure. Such concurrent resolution, if adopted by the required constitutional majority of each house, shall be engrossed in the usual form and signed by the speaker and the president, and shall be submitted to the secretary of state for appropriate action and for submission to the voters. Such concurrent resolutions shall be made a part of the permanent legislative records.

On motion of Senator Lamprey, the reading of the Concurrent resolution was dispensed with (same having been printed in the House Journal) and consideration of the Concurrent Resolution was made a Special Order of Business for next Tuesday morning at 11:01 o'clock.

Introduction, First & Second Reading of Senate Bill

SB 97, creating a state commission on the arts. (Johnson)
Referred to Executive Depts., Municipal & County Government.

Committee Reports

Senator Green, for the Committee on Military & Veterans' Affairs: HB 100, relating to payment of veterans' burial expenses. Ought to pass.

Senator Green: "Mr. President, this bill facilitates matters in the service of the burial expense of veterans. It simply inserts

the word 'funeral director.' There was no opposition whatsoever."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Education: HB 480, relative to Fall Mountain Regional School District. Ought to pass.

Senator English: "Mr. President, HB 480 was heard yesterday by the Senate Committee. The Bill provided for the legalization of the meeting of the Fall Mountain Regional School District. The bill was jointly sponsored by the members of the House from the districts concerned.

"The reason for the Bill was that the counting of the ballots took place after midnight, Sunday morning. Legal counsel to the bonding companies felt it would be desirable to have the meeting legalized for this reason.

"The Committee listened attentively to various assertions by opponents — those who had disapproved of the Fall Mountain Regional School — alleging other irregularities in the conduct of the meeting. After the most careful consideration, the Committee was unable to find that the alleged irregularities were of a nature to affect the validity of the final vote. In fact, the alleged irregularities were denied by persons present at the meeting.

"Your Committee unanimously reports HB 480 as ought to pass."

Senator Blaisdell: "Mr. President, representing part of the area involved, I heartily agree with Senator English and his committee."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Government: HB 328, abating interest on taxes if the tax bills are not timely sent. Ought to pass.

Senator Buchanan: "Mr. President, this bill was reported in on Thursday of last week and was withdrawn from the Engrossing Committee at the request of a member of the Committee who had found what he thought was a flaw in the bill. The flaw itself had been taken care of by amendment in the

House and the Chairman's Copy, as later perused by the Committee member, showed the correction."

Senator Lamontagne: "Mr. President, I concur with Senator Buchanan in his remarks and I happen to have been the member who asked to recommit this bill. I did not know this bill was in new draft as passed by the House and therefore I had taken the original bill and that is why I thought there was something wrong, but I found the mistake had been corrected by the House. Therefore, I concur."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: Concurrent Resolution applying to the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States pertaining to the offering of prayer in public schools and other public places in the United States. Ought to pass with amendment.

Amend the title of the Concurrent Resolution by inserting after the words "Congress to" in line one thereof the following words, propose the following article as an amendment to the Constitution of the United States, or, so that the title as amended shall read as follows:

Concurrent Resolution applying to the Congress to propose the following article as an amendment to the Constitution of the United States, or call a convention for the purpose of proposing an amendment to the Constitution of the United States pertaining to the offering of prayer in public schools and other public places in the United States.

Senator Rinden: "Mr. President, this amendment is simply to give the alternate method of amending the Constitution. That is all."

The amendment was adopted.

"Mr. President, the purpose of this Concurrent Resolution is to apply to the Congress of the United States to call a convention to make a change in the Constitution; to permit prayer in the public schools and other public places in the United States. It does not order the saying of prayer. It simply permits — it is permissive legislation. To give the opportunity to pray and not the injunction that any child should pray. It is

optional with the children in the schools. We had an excellent public hearing on this Resolution in Room 100. There was a great deal of expression of opinion. I have here a great deal of material, most of which supports the Resolution — about 90%. The support has been overwhelmingly in support, although there has been some spirited opposition. I have received support from the American Legion, Catholic War Veterans, New Hampshire State Grange, Merrimack County Farm Bureau, several Protestant denominations, Bishop Primeau, the School Board of the town of Cornish, numerous school board members. Also, a large volume of mail and many petitions. The reason for this action — the supreme court decision of *Engle vs Vitale* and outlawing the Regent's prayer in New York and *Abbington School District vs Shemp*, forbidding a law requiring the Lord's prayer."

Senator English presiding.

"What we are pressing is the result of a supreme court ruling in the case of *Engle vs Vitale*. In Hyde Park, New York, a local school board provided that those pupils who wish to do so join in a brief prayer at the beginning of each school day, acknowledging their dependence upon God and asking His blessing upon them and upon their parents, their teachers and their country. The supreme court outlawed this as unconstitutional. The supreme court claimed that in permitting the school children to say this simple prayer, the New York authorities have established 'an official religion.'

"The purpose of this resolution which we are reporting is to again permit the states which want them, to have school prayers. This brings school prayers back into line with the many other religious observances at all levels of government in this country.

"There are Chaplains in both houses of Congress and the armed services. There is compulsory chapel at the service academies. There are religious services in federal hospitals and prisons. There are religious proclamations by the President. We have the words 'In God We Trust' on our coins. In 1954, Congress added the phrase 'Under God' in our pledge of Allegiance. There are Bible readings in the schools of the District of Columbia. Religious instruction is given in the District of Columbia National Training School for Boys. In the national

anthem, we say 'and this be our motto — In God is our trust.' This language was adopted by Act of Congress in 1931. At the opening of each day's session of the supreme court, all the members of the court stand while one of its officials invokes the protection of God.

"The Marshals in all federal courts say God save the United States, and this Honorable Court. In his inaugural address on January 20, 1961, President John F. Kennedy said: 'The world is very different now . . . And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe — the belief that the rights of man come not from the generosity of the state, but from the hand of God.'

"This was all summed up by the U. S. supreme court just 15 years ago in a single sentence: 'We are a religious people whose institutions pre suppose a supreme Being. *Zorach vs Clauson*, 343 U.S. 306.313.

"What we are trying to do in this Resolution is simply to bring back prayer in the schools in line with traditions of this country and observance of God in both state and federal government. For all of these reasons, I urge the adoption of this Resolution."

Senator Gove: "Mr. President, I move that further consideration of this Concurrent Resolution be indefinitely postponed.

"Mr. President, when the first decision of the United States Supreme Court in regard to prayers in the public schools was handed down, it was met with shock and dismay by the American people. There was little preparation for such a decision, and many people felt it to be contrary to our way of life. Civic, religious and political leaders rose in righteous wrath violently condemning the action of the Court.

"Among those who counseled caution and restraint was our late President John F. Kennedy, who wisely advocated renewed prayer in home and church. It was fitting that he should react as he did, for the man who wrote "Profiles in Courage" had a deep knowledge of American history. Religious freedom guaranteed by our Bill of Rights was a precious heritage to him who said in 1960 — 'I believe in an America that is officially neither Catholic, Protestant or Jewish . . . where no religious body seeks to impose its will directly or indirectly upon the

general populace or the public acts of its officials . . . where religious intolerance will someday end . . . where all men and all churches are treated as equal . . . where every man has the right to attend or not to attend the church of his choice.'

"Mr. President, when first this Concurrent Resolution was introduced in the Senate, I recognized it for what it was, and felt compelled to oppose it with all vigor. I felt that I might be a voice crying in the wilderness, and so it is especially heartwarming and gratifying to recognize and humbly thank some of the many people who have come to my assistance—unsolicited, in the main. I have been presented with a wealth of valuable background material which I will endeavor to relay to the Senate. Among those who have been of great assistance are my own minister, Mr. Paul Beattie; the Reverend Mr. Charles Broadbent, neighbor and Associate Minister of the New Hampshire Congregational Christian Conference; Reverend Hartley T. Grandin; the Right Reverend Charles F. Hall, Bishop of the Episcopal Diocese of New Hampshire; and Mrs. Earl Reingold, civic leader and President of The Concord High School PTA.

"Basically this is a Resolution which would have the New Hampshire Senate go on record as favoring an amendment to the United States Constitution, an amendment actually to the Bill of Rights. The Bill of Rights was put into our Constitution by our great Founding Fathers so that true representative government could function with full protection of minorities. These rights have been maintained and enlarged through over 150 years.

"Now, Mr. President, this Resolution has been before the Congress of the U.S. in the form of the Becker Amendment. And extensive hearings—over a 7 week period, I understand—have been held. Here in New Hampshire we had a 2 hour hearing in which there developed considerable opposition to this Resolution. However, in Washington, over this 7 week period a tremendous surge of opposition to the Becker Amendment was noted and many religious leaders appeared in opposition. Many legislators and educators presented testimony. One, Senator Milton R. Young (D-N.D.), told the Senate on May 18, 1964: 'I am frank to admit that I was among those who were somewhat incensed upon hearing of the Supreme Court decision. Upon close examination of all factors involved and reviewing

the proposed legislation to reverse the Court decision, I have reached a different conclusion.' Highly significant was a joint statement submitted to the House Judiciary Committee by 223 Constitutional lawyers, professors, and law school Deans. The statement declared that 'American liberties have been secure in large measure because they have been guaranteed by a Bill of Rights which the American people have until now deemed practically unamendable. If now, for the first time, an amendment to narrow its operation is adopted, a precedent will have been established which may prove too easy to follow when other controversial decisions interpreting the Bill of Rights are handed down.' At the close of the hearing it was clear that the apparent initial reaction favoring amendment of the Constitution to reverse the Supreme Court rulings had undergone considerable change.

"Quoting from an article in *Time*, June 19, 1964: 'The degree of church-leader opposition to school prayer has not been lost on the House Judiciary Committee. . . . When the hearings began, some Congressmen reported their mail as running 20-1 in favor of Congressman Becker's amendment. It now appears to run almost as heavily against. Representative Celler, addressing the Baptist Joint Committee on Public Affairs on October 8, 1964 said that the seven weeks of hearings before the House Judiciary Committee had provided a forum for the American people to reappraise the meaning of religious liberty, expressing his feelings that as a result, public opinion had turned against changing the First Amendment to by-pass the Supreme Court.'

"And how do the church leaders feel on this question? Well, the Rev. Dean M. Kelley, Executive Director, Department of Religious Liberty of the National Council of Churches said: 'Seven weeks of hearings by the House Judiciary Committee have produced at least one clear result: it has become apparent that most of the leaders of the religious bodies of the nation do not want the Bill of Rights revised to overturn the recent decision of the Supreme Court. . . . Even some leaders who are critical of the decision are loath to see the Bill of Rights amended for the first time in our history. One after another chief executive officers of the major Protestant Denominations appeared before the Judiciary Committee to support the First Amendment in its present wording as interpreted by the Court.'

"While Roman Catholic reaction shortly after the *Scheupp-Murray* decision was mostly condemnatory, increasing Catholic concern over revising the First Amendment was especially evident during and after the hearings. No official position was taken by the Church, however. Shortly after the hearings ended, the Legal Department of the National Catholic Welfare Conference made its attitude public. Advising caution, the statement observed that 'the haste in drafting many proposals—together with their great variety—displayed more eagerness than profound Constitutional deliberation' and that the free exercise and no established clauses are guarantees too vital to be tampered with lightly. The Catholic Press Association in Convention in Pittsburg April 30, 1964 adopted the following resolution:

'Whereas the First Amendment of our Constitution expresses the delicate balance between the rights and functions of Church and State; and whereas the proposed Becker Amendment threatens to create confusion with regard to these respective roles; and Whereas American Catholics are fully committed to the separation of Church and State; Therefore be it resolved, That the Catholic Press Association is opposed to the enactment of the Becker Amendment. At the same time, the Association urges continuing efforts be made to reaffirm our nation's traditional acknowledgment of God and our reliance upon Him, within the framework of Constitutional liberty.'

"Excerpts from 'Save the Bill of Rights' issued by the Joint Advisory Committee of the Synagogue Council of America and the National Community Relations Advisory Council:

"*National Council of Churches of Christ*—Adopted resolution February 1964 expressing its acceptance and support of the Supreme Court's Decision banning state sponsored Bible reading and prayer recital in the public schools.

"*Protestant Episcopal Church in the United States*—Officially expressed support of Supreme Court ruling and declared that it was not hostile to religion, but that it reflected 'the Court's sense of responsibility to assure freedom and equality to all groups of believers and non-believers.'

"*Lutheran Church in America*—Dr. Fry, head of the Church, stated that public school recitation of the Lord's

Prayer 'debased' it and that public school reading of the Bible was of 'dubious' worth as a religious or educational experience.

"United Presbyterian Church — Chief Executive Officer stated his support for the decision and underscored their firm belief 'that religious instruction is the sacred responsibility of the family and the churches.'

"The Baptist Churches—Dr. Carlson, Executive Director of Baptist Joint Committee on Public Affairs (17 million Baptists), stated Committee's opposition to the use of the Bible for devotional purposes in the public schools as well as public school sponsored prayers.

"Methodist Church—Bishop John Wesley Lord of Washington: 'Unless Bible reading and prayer are performed in an atmosphere of religious devotion often not possible in the public school, the very act may be profane and secularized to the detriment of the pupils.'

"Catholic opposition to the Becker Amendment — *Catholic Telegraph* (Cincinnati). — 'Don't Tamper: In our view, it will be less confusing and safer to leave the country's basic declaration about religion untouched. . . . The two clauses about religion, one forbidding the establishment of an official American religion and the other guaranteeing the inviolability of religious freedom, admirably express traditional American convictions. There will always be some disagreement over the precise meaning of these ideas, but if we must rely on amendments to apply these ideas to particular situations, the amendments could become endless, and the Bill of Rights would become a confusing patchwork of words.'

"Catholic Universe Bulletin (Cleveland). (After referring to Pope John's and Cardinal Ritter's declarations for freedom of conscience): 'It will seem impossible to square with such principles a school prayer amendment to the Constitution which would legalize religious exercises which are initiated, sponsored or directed by public school authorities.' (This editorial was reprinted in the *Catholic Chronicle of Toledo*.) *America* (national Jesuit weekly): 'The weightier reason for questioning the wisdom of this move is that, if it should succeed, it would only shake the faith of the American people in the firmness of our most basic civil liberty, freedom of religion. . . .

The First Amendment's religion clauses ought to be regarded as unamendable.' *Catholic World*: 'Campaigns . . . to change the Constitution are deplorable.' *Catholic Herald Citizen* (Milwaukee): 'Christians — Catholics and Protestants — would properly be disturbed if their children in public schools were expected to be present for the saying of a Mohammedan or Buddhist prayer. Catholics and other citizens have objected to the public school system being used as an auxiliary to Protestantism. The present decision of the Supreme Court makes the point more clear: tax-supported educational systems are not to be used to promote a specific denominational religion.'

"Jewish Opposition: I would insert the following letter.

Mrs. Mitchell Backon
21 Wilson Avenue
Concord, New Hampshire
April 13, 1965

Dear Mr. Gove,

The following is the statement I made at the Senate hearing.

I am speaking to you as a representative of the Jewish community of Concord and a concerned parent.

We are definitely opposed to the Concurrent Resolution to restore prayer to the schools. Our concern about the mixing of religion and public education stems not only from a dedication to the principle of separation of church and state. It derives also from a full and unremitting commitment to the public-school system as a corner-stone of American democracy. The great democratic values which flow from the public-school, where all children meet as equals and as Americans, would be destroyed if the public schools become an arena of religious divisiveness.

We are also motivated by a sense of self-reliance and integrity. As parents and Jews, we feel we have the right to stand on our own feet, without the crutch of governmental support, to meet the challenge of providing our children with a rich and meaningful religious education.

I'm happy to be able to pass this along to you and I am pleased that you are our representative in this very important issue.

Yours truly,
/s/ Bea Backon

"And the following letter and resolution of The Diocese of New Hampshire:

THE DIOCESE OF NEW HAMPSHIRE
63 Green Street
Concord, New Hampshire

20 April 1965

Hon. William Gove
State Senate
State House
Concord, New Hampshire

Dear Senator Gove:

At the suggestion of the Rev. Paul Beattie the following resolution, voted at the 162nd Annual Convention of the (Episcopal) Diocese of New Hampshire (1964), is sent to you.

It is my hope that it may be of some use. As considerable discussion followed the presentation of the resolution it seems clear that the resolution expresses the mind of the Episcopal Church in this state. There is no reason to doubt that the some 200 delegates to the Convention were aware of the issue on which they voted.

As the Convention most fully expresses the mind of this Church no further comment by Bishop Hall seems necessary.

I personally regret that we missed an opportunity to appear at the public hearings to read the resolution into the record.

Sincerely yours,
/s/ Donald H. Lyons
Donald H. Lyons
ARCHDEACON

Whereas as Americans, we hold that our government is neither hostile to, nor indifferent to, religion, but acknowledges both the importance and autonomy of religion; and

Whereas as Americans, we believe it to be the task of the home and the church to provide adequate religious instruction; and

Whereas, as Americans we are committed to the right of freedom of conscience and freedom of religion, i.e., the freedom of each citizen in the determination of his religious beliefs and allegiance; and

Whereas the First Amendment to our Constitution in its present wording has provided the framework within which responsible citizens and our courts have been able to afford a maximum protection for the religious liberty of all our citizens; Therefore be it

Resolved, That this Convention is opposed to any change in the First Amendment to the Constitution of the United States at this time; and be it

Resolved, further, That the Secretary of the Convention is directed to forward copies of this resolution to the members of the Judiciary Committee of the House of Representatives of the United States and the Representatives and Senators of the State of New Hampshire in the National Congress.

“And so, in conclusion, I would state that well intentioned though this resolution may be, people most interested in sincerely promoting the growth and vitality of their respective churches, have in most cases come to realize that our Constitution as interpreted by the Supreme Court still affords the greatest opportunity for the spiritual health and well being of our great country.”

Senator Martel: “Mr. President, just a few words. I believe when this article was adopted by our forefathers, it was more in the line of preventing the various states in supporting the establishment—the local establishment of the church. Some of you may be aware of the fact that in the early years of our republic and prior to adoption of the Constitution, many people were supporting various churches. I can well see what troubles might have come about. I see no wrong in our children in our public institutions opening up their business session with a

prayer to Almighty God, seeking his help. It is only then that men recognize their dependence on God and I believe we can get along much better if we do recognize it. In many organizations that I have been a member over the years, I have made it a policy to open with a prayer to Almighty God—not Protestant, not Catholic and not Jewish. It is the same way in which we open up our morning session of both branches of the Legislature here. I see nothing wrong with it. I think we should all be interested in other facets of our family life; in doing something to stop juvenile delinquency—and in asking the help of Almighty God in many things. The religion of prayer does not matter—it may be in Hindu—or the language of Confucius. There are atheist forces throughout the world that are trying to take away this privilege of prayer or freedom of prayer, as long as we remember that there is a supreme Being over all, I see no reason not to go along with the Resolution of Senator Rinden. I will vote against the motion and I urge my colleagues to do likewise.”

Senator Blaisdell: “Mr. President, with all due respect to the supreme court of the United States, I stand here before you now as a father and as a member of the Catholic faith—I disagree with the supreme court of the United States when they say that my children cannot thank Almighty God for all the good things they have had in their life. I thank Almighty God for having them and I ask that you go along with Senator Rinden.”

Question on motion of Senator Gove.

On a *viva voce* vote, the negative prevailed, and the motion to indefinitely postpone was lost.

The Concurrent Resolution as amended was adopted.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 312, to increase the limit of investments of a bank in its banking building and to remove maximum limits of capital stock, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the first line and inserting in place thereof the following:

2 Limits of Capital Stock. Amend RSA 392:25 (supp) as amended by 1961, 150:1

Amend said bill by renumbering section 2 to read section 3.

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 336, relative to investments of building and loan associations, report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Investment In Industrial Development Corporations. Amend RSA 393:27 as amended by 1961, 136 by inserting after paragraph VI. (supp) as inserted by 1961, 136:7 the following new paragraph: VII. In bonds or stock of an

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate bills:

HB 179, An Act relating to unincorporated places.

HB 278, An Act making amendments to the Uniform Commercial Code.

SB 1, An Act to adjust classified salaries of state employees.

HB 153, An Act relating to voluntary corporations and associations.

HB 154, An Act to enable the State of New Hampshire or any political subdivision thereof, to accept gifts of industrial facilities and to lease or otherwise dispose of the same.

Eda C. Martin, for the Committee

The report was accepted.

Communication

Senator Lamontagne presented the following communication:

THE AUXILIARY OF THE NEW HAMPSHIRE HOSPITAL

105 Pleasant Street
Concord, New Hampshire

Mr. President:

The Auxiliary of the New Hampshire Hospital announces the completion of its drive for 3,000 books of S & H green stamps to obtain a 36 passenger bus for the recreational use of the patients at the hospital.

At this time, the Auxiliary would like to express their thanks to Senator Laurier Lamontagne for his assistance in the project. His efforts helped greatly to facilitate the successful drive in just eleven weeks.

Extra books, money and odd stamps collected during the stamp campaign will provide money for ice cream on the children's swimming days, tickets for special occasions, and extra picnic equipment and games to take on trips.

(signed)

Mrs. James T. Whiteman
Auxiliary of N. H. Hospital
Mrs. James T. Whiteman
Chairman, Bus Project

Senator Lamontagne: "Mr. President, I would also offer my thanks to Senator Buchanan who was very generous in getting some of his friends to contribute stamps. Also, Senator Hunter, and Senator Saggiotes who took one book away from his wife. I would also like to extend my thanks to them. They all certainly helped to make this job easy."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session**Third Reading & Final Passage of Bills**

HB 100, relating to payment of veterans' burial expenses.

HB 328, abating interest on taxes if the tax bills are not timely sent.

HB 480, relative to Fall Mountain Regional School District.

On motion of Senator English, the Senate refused to reconsider its vote on the above entitled bill.

On motion of Senator Mitchell, the Senate adjourned at 12:45 p.m. to meet next Tuesday morning at 11 o'clock.

TUESDAY, May 4, 1965

The Senate met according to adjournment.

Senator Johnson, District No. 5, presiding.

A quorum was present.

Introduction of Guests

As the guests of Senator Rinden, Mrs. Mary Stefani and Mrs. Bertha Almond, both of Bristol, England, accompanied by the mother-in-law of the Senator, Mrs. Samuel Tarrant of Manchester.

As the guests of Senator Martel, his office messenger, Mr. Daniel Burke, and wife, and the son of Mrs. Burke, Don Pepin of Los Angeles, California.

House Message — First & Second Reading of Bills

HB 290, relating to preliminary examinations in criminal cases. Referred to Judiciary.

HB 300, relative to planning board regulations for subdivision of land in the city of Nashua. Referred to Executive Depts., Municipal & County Government.

HB 303, eliminating the weight limit on taking black bass. Referred to Fisheries & Game.

The Message further stated that the House refuses to concur with the Senate in the passage of the following entitled bill sent down from the Senate:

SB 12, relative to women's names being placed on jury lists and exemption of certain persons.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill sent down from the Senate:

SB 42, to increase the time within which an execution may be issued after judgment.

The Message also stated that the House concurs with the Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 21, relating to appeals from district or municipal courts.

Amend section 2 of the bill by striking out the same and inserting in its place the following:

2 Bail. Amend RSA 597:6 by striking out the words "court or justice" in the second line and inserting in place thereof the words, or district court; and further amend the section by inserting after the words "reasonable amount" in the third line the words, or personal recognizance, so the section is amended to read as follows: 597:6 — For Appearance at Superior Court. If the offense is bailable by the municipal or district court the accused shall be ordered to recognize, with sufficient sureties, in a reasonable amount or personal recognizance, for his appearance at the superior court, at the next term thereof for the county at which a grand jury is required to attend, and to stand committed until the order is complied with.

On motion of Senator Howard, the Senate voted to concur in the adoption of the amendment offered by the House.

Committee Reports

Senator English, for the Committee on Education: HB 48, authorizing the dissolution of the Penacook school district and

uniting it with the union school district of Concord. Ought to pass.

Senator English: "Mr. President, HB 48 has solid support and no opponents. It authorizes the holding of meetings to consider the dissolution of the Penacook school district and uniting it with the union school district of Concord."

The bill was ordered to a third reading.

Special Order of Business for 11:01

The Chair recognized Senator Howard: "Mr. President, last week, it was requested by President Lamprey that consideration of Concurrent Resolution, relative to amendment to Joint Rule 12, be made a Special Order of Business for this morning at 11:01 o'clock. In view of the fact that the President is not here, I move that the above be made a Special Order of Business for next Tuesday, May 11th, at 11:01 o'clock."

On a *viva voce* vote, the above motion carried.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 100, relating to payment of veterans' burial expenses. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1 Change in Payee. Amend RSA 165:16, as amended by 1959, 77:1, by striking out in the fourteenth line the words "commander or adjutant, selectman or mayor" and inserting in place thereof the words, funeral director in charge of burial, and by striking out in the nineteenth and twentieth lines the words "said commander, adjutant, selectmen, city council or mayor" and inserting in place thereof the words, funeral director in charge of burial, so that said section as amended shall read as follows:

Further amend section 1 of said bill by adding at the end thereof the following: Whoever neglects or refuses to furnish said account shall be fined ten dollars.

The Senate voted to concur in adoption of the amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 241, to provide an additional penalty for failure to appear in court after release on bail. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following.

1 Bail. Amend RSA 597 by adding a new section after section 14 to read as follows: 597:14-a Failure to Appear; Punishment.

The Senate voted to concur in adoption of the amendment offered by the Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution.

HB 242, An Act to authorize waiver of jury trial in certain cases.

HB 269, An Act relating to complaints alleging speed violations.

HB 328, An Act abating interest on taxes if the tax bills are not timely sent.

HB 480, An Act relative to Fall Mountain Regional School District.

SB 42, An Act to increase the time within which an execution may be issued after judgment.

SB 47, An Act relative to penalty for taking moose.

HB 4, An Act relating to the labeling of hazardous substances.

HB 14, An Act relative to misbranding of drugs containing narcotics.

HB 262, An Act relative to trustee process.

HJR 13, Joint Resolution in favor of Edward W. Colby,
M.D.

Eda C. Martin
For the Committee

The report was accepted.

Communication

April 30, 1965
Room 113, State House

From: Arthur L. Petell, Jr.
Superintendent
Buildings & Grounds Division

Subject: State House Dome

To: The Honorable President of the Senate
Stewart R. Lamprey

With the renovations of the State House dome complete, we are opening same to the General Public on May 10th.

We would also like to extend to you and other members of the Senate an invitation to visit the dome on the days of May 4th, 5th and 6th.

Arthur L. Petell, Jr.
Superintendent

ALP:eao

On motion of Senator Martel, the rules were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bill

HB 48, authorizing the dissolution of the Penacook school district and uniting it with the union school district of Concord.

On motion of Senator Blaisdell, the Senate adjourned at 12:13 p.m.

WEDNESDAY, May 5, 1965

The Senate met according to adjournment.

Senator English, District No. 11, presiding.

A quorum was present.

Introduction of Guests

As the guest of Senator Rinden, Mr. John Morton of Berlin.

As the guest of Senator Lamontagne, Mr. Romeo Barbin of Berlin, former Coos County Sheriff.

As the guests of Senator Howard, the following Boscawen Main Street School pupils accompanied by the 7th Grade Teacher, John Walen, 8th Grade Teacher, David Corey and Paul Twombly, Principal.

William Bailey, Lee Ann Baker, Harold Baldwin, Thomas Berkeley, Pamela Brown, George Burley, Thomas Buskey, Betty Ann Campbell, William Charlton, Robert Couch, Richard Cummings, Marlene Fanny, Virginia Fournier, David Grund, Sandra Hammond, Darryl Heath, Marcella Jordan, Almon Knowlton, Robert Langley, Edward Millett, Bryant Miner, Penny Preve, Nancy Sawyer, Arthur Swenson, Linda Vigue, Janice Warren, Gail Welcome, Karolyn Woodward, Carol Palmer.

Robert Baker, Wilfred Banfill, Diana Basset, Barbara Bartlett, Lester Benoit, Nancy Broughton, Christine Casey, Patrick Casey, John Huckins, Brad Huckins, Armond Lebreque, David Rule, Jay Girourd, Michael Young, James Hamilton, James Hammond, Kirk Sampson, Robert Colby, Mark Lorden, Gary Kenney, Leign Kenney, Ralph Cate, Carl Glover, Allan Glover, Ken Rostron, Linda Reynolds, Reginold Murray, Lorraine Welcome, Gail Tibbitts, David Wyatt, Donna Wyatt, Bruce Paradise, Bruce Plinney, Violet Libby, Brent Heath, Ralph Miller, Faith Millet, Glenda Howe, Toni Flanders, Irene Lower, Victoria Whiting, Debbi Merrill, Jerry Smith.

House Message

The House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 312, to increase the limit of investments of a bank in its banking building and to remove maximum limits of capital stock.

HB 336, relative to investments of building and loan associations.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 360, to authorize banks to invest in service corporations. Ought to pass.

Senator Buchanan: "Mr. President, as you know, most financial institutions, such as banks, insurance companies, etc., today utilize electronic data processing equipment to a great extent in their bookkeeping. The companies' bookkeeping is so heavy that the most modern means of figuring are required in order that they may keep abreast of the volume of work. The average company in New Hampshire is unable to purchase for their own individual use this equipment to do the job which must be done. This bill will allow banks to band together to form corporations, as indicated in the title of the bill; a service corporation which will allow the corporation to purchase, or lease, as the case may be, the necessary data processing equipment. No bank may invest more than 10% of its assets and the corporation may earn money by renting out to other banks, insurance companies, etc. There was no opposition to this at the hearing and the Committee recommends its passage."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HJR 11, in favor of Peter J. Jenovese. Ought to pass.

Senator Buchanan: "Mr. President, this is one of those things you read about in the newspaper. Sometime ago, a guest at the State Hospital escaped, and while at large, appropriated an automobile belonging to Peter J. Jenovese, toured around the city of Concord and came to rest on one of the safety islands. He took with him a rod and reel which belonged to the owner of the car. This resolution is to compensate Mr. Jenovese for the damage done to his car and the loss of his fishing rod and reel. I consulted with the Attorney General's office before we

reported this out of Committee, to make sure that this was reasonable, and the Attorney General's office assured me that the State recognizes itself as responsible for the inmates of the State Hospital. The amount involved is \$300."

The joint resolution was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HJR 32, in favor of John F. Hart, Jr. Ought to pass.

Senator Buchanan: "Mr. President, Mr. Hart lives in the north country. His home apparently is so located that the salt placed on the highway by the Highway Department runs off onto his property. It contaminated his well, which was located in his cellar, and the Highway Department has compensated him for the well which they are able to do out of their funds. However, the salt did damage the foundation of his home — it ate away at the cement and did damage to the same. There was no opposition to this resolution at the hearing. Jack Flanders, the Assistant Commissioner of Public Works was present and indicated that his Department had investigated this and it was a legitimate claim, but because their funds allowed them to reimburse people for contamination of their wells only, it required legislative action to pay for the damage to the foundation of the house. He recommended the passage of the resolution. Here again, I consulted with the Attorney General's office and was assured that this was an extremely unusual situation, but the Attorney General's office felt that no new precedent was being set. No opposition at the hearing. The original petition was for \$700. It was amended in the House to \$300. The Committee unanimously recommends its adoption."

The joint resolution was ordered to a third reading.

Order Vacated

On motion of Senator Howard, the order whereby the following entitled bill was referred to the Committee on Resources, Recreation & Development was vacated and the bill was referred to the Committee on Public Works & Transportation, with the consent of both Committee Chairmen:

SB 61, relating to public roads to private recreational areas.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Introduction of Guests

As the guests of Senator Hunter, the following pupils of Winnacunnet High School of Hampton: Frances Michaud, Carol Clark, Daniel E. Kierstead, John Maloney, R. Adams, George Perkins, Paula Webb, Carol Bogrett, Linda Payne, Thomas Boyd and Steven McHenry.

Third Reading & Final Passage of Bill & Joint Resolutions

HB 360, to authorize banks to invest in service corporations.

HJR 11, in favor of Peter J. Jenovese.

HJR 32, in favor of John F. Hart, Jr.

On motion of Senator Riley, the Senate adjourned at 11:35 a.m.

THURSDAY, May 6, 1965

The Senate met according to adjournment.

Senator Johnson, District No. 5, presiding.

A quorum was present.

Introduction of Guests

As the guest of the Senate, Mr. S. N. A. Aziz of Madras, India — a participant in the Foreign Program of the U. S. Department of State. He is spending 10 days in New Hampshire, as the guest of Mr. and Mrs. George Wilson of Concord and this is his first visit to the United States.

As the guest of Senator Lamontagne, Mr. Francis Bailey of Jefferson, the Tax Collector and Justice of the Peace there.

House Message — First & Second Reading of Bills

HB 137, to appropriate funds to provide for the completion of payments under the Teachers Retirement System. Referred to Finance.

HB 197, relative to credit unions. Referred to Banks, Insurance & Claims.

HB 232, relative to safe deposit business and building and loan associations. Referred to Banks, Insurance & Claims.

HB 280, relative to citizens job protection. Referred to Labor.

HB 281, relative to the definition of game birds. Referred to Fisheries & Game.

HB 327, relative to the taking, sale, possession, and transportation of lobsters and crabs. Referred to Fisheries & Game.

HB 365, to increase transfer fees on automobiles. Referred to Public Works & Transportation.

HB 390, relative to petition for marriage license by non-resident under age. Referred to Judiciary.

HB 439, to amend the charter of certain savings banks, and relating to the compensation of bank commission assistants. Referred to Banks, Insurance & Claims.

HB 441, authorizing the department of education to participate in federal program for Civil Defense Adult Education. Referred to Education.

The Message further stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 100, relating to payment of veterans' burial expenses.

HB 241, to provide an additional penalty for failure to appear in court after release on bail.

Introduction — First & Second Reading of Senate Bill

SB 98, relative to the Manchester police relief association of Manchester. (Martel) Referred to Executive Depts., Municipal & County Government.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SB 94, amending the charter of the Nashua trust company. Ought to pass.

Senator Buchanan: "Mr. President, this is another one of these bills which I think should be taken care of by blanket legislation. Here again, we have an institution who wishes their charter changed. This would authorize an increase of capitalization in this bank which is always good because it is a greater protection to the depositors thereof. There was no opposition and the Committee recommends its passage."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 311, providing for an increase in the amount of the guaranty fund required of credit unions as a pre-requisite to the payment of dividends. Ought to pass.

Senator Buchanan: "Mr. President, this bill, which had no opposition even from the Bank Commissioner, will allow the credit unions to increase their guaranty fund which they have to have before they can pay dividends. This is sort of a contingency fund. The first thought was to increase the amount from the present 10% to 20%, but it was thought this was excessive. The bill now will provide for an increasing scale — 11% this year, 12% the next year, etc. to a maximum of 15%. This again is good legislation which provides greater protection for those people who have money on deposit in credit unions."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 316, to change the law regulating by-laws and meetings of credit unions. Ought to pass.

Senator Buchanan: "Mr. President, this again is rather a routine bill, also having to do with credit unions. At the present time, the law provides that credit unions must have their annual meeting 30 days after their fiscal year ends, which is June 30th, and makes it due in July. July is the month of vacations. Therefore, they have requested that the law be changed to allow the annual meeting to be held 60 days after instead of 30 days after, which brings it into August and July vacations are over and more are able to attend."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: SB 18, enlarging the advisory commission on health and welfare. Ought to pass with amendment:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Commission Enlarged. Amend RSA 126-A:8 as inserted by 1961, 222 by striking out in line two the word "eleven" and inserting in place thereof the word, thirteen; further amend said section by inserting in line eight after the word "Society" the following, one doctor of chiropractic to be nominated for appointment by the New Hampshire Chiropractic Association, Inc., one hospital administrator to be nominated for appointment by the New Hampshire Hospital Association; further amend said section by inserting in line thirty-seven after the word "more" the word, than; further amend said section by inserting in line two after the word "members" the words, who are residents of the state; so that said section as amended shall read as follows:

126-A:8 Advisory Commission; Establishment. There shall be an advisory commission on health and welfare, consisting of thirteen members who are residents of the state appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, one pediatrician, and one general practitioner or internist, each of the foregoing to be first nominated for appointment by the New Hampshire State Medical Society, one doctor of chiropractic to be nominated for appointment by the New Hampshire Chiropractic Association, Inc., one hospital administrator to be nominated for appointment by the New Hampshire Hospital Association, one psychologist to be nominated for appointment by the New Hampshire Psychological Association, one social worker to be nominated for appointment by the New Hampshire chapter of the National Association of Social Workers, one dentist to be nominated by the New Hampshire Dental Association and five members-at-large who are not members of the medical profession who shall include representatives of non-governmental organizations or groups concerned with the operation, construction, or utilization of hospitals, in-

cluding representatives of the consumers of hospital services, to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of health and/or welfare. The commissioner of health and welfare will be an additional member of the advisory commission when the commission is performing the duties now set forth in RSA 151:11 and RSA 152:5. Nominations to the governor and council shall be promptly submitted both with respect to initial and successor appointments as well as the filling of vacancies, to the end that there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any source are delayed for longer than a period of thirty days after receipt of notice from the secretary of state that the nomination is required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: three members for one year, two members for two years, two members for three years, two members for four years, and two members for five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman, who shall be designated by the governor from among its membership. The term of the chairman shall be for one year. He may be reappointed as chairman but for not more than three consecutive years, and thereafter shall be ineligible to be chairman. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, the call of the commissioner, and on the petition of any three members it shall be the duty of the chairman to convene the commission forthwith. Members of the commission shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this act.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Term of Appointments. The terms of the doctor of chiropractic and of the hospital administrator appointments provided for by RSA 126-A:8, as amended, shall for the initial appointments be for one year and for all subsequent appointments be for five years each.

On motion of Senator Howard, the reading of the amendment was dispensed with.

Senator Gardner: "Mr. President, the amendment adds a hospital administrator to the board. The state purchases service from the hospital and through this amendment it was felt that there would be better understanding between the hospital and the department if there was a hospital administrator on the board."

Senator Martel: "Mr. President, I move that further consideration of this bill be indefinitely postponed. A few days ago, I had the opportunity to talk with the administration leaders about this bill because there were two more to be added to the advisory commission. We all know that there has been misunderstanding about this and contrary to what has been stated, there is enough on that commission now without more being added for more trouble. I will say that the Governor has said that if this bill passes, it will be vetoed if it comes to his desk. The Governor feels that there are enough members now and because of happenings since the opening of this session, more members will mean more trouble."

Senator Gardner: "Mr. President, I do not believe that this is unreasonable. The bill with amendment simply adds two more members to the advisory commission, a chiropractor and a hospital administrator. In the original bill, members included:

3 doctors (1 psychiatrist, 1 pediatrician, and 1 general practitioner)

Nominated by N. H. Medical Society

1 psychologist

Nominated by Psychological Association

1 social worker

Nominated by Social Workers Association

1 dentist

Nominated by Dental Society

5 members at large

Appointed by Governor & Council

The department purchases the services of chiropractors and pays the same fee as for the doctors' services. You also must be aware of the tremendous amount paid to hospitals. It doesn't seem unreasonable for these professions to be granted the same privilege as the others."

(Discussion ensued)

On a *viva voce* vote, the motion to indefinitely postpone was lost.

Question now being on adoption of the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Gardner, for the Committee on Public Health, Welfare & State Institutions: SB 48, relating to hairdressers. Report the bill in new draft: Ought to pass.

The bill being on its second reading, Senator Gardner offered the following amendment:

Amend section 1 of the bill by striking out in lines eight and nine the words "It shall determine his duties and salary and he shall not be subject to the provisions of the personnel laws of the state." so that said section as amended shall read as follows:

1 Inspector. Amend RSA 314 by inserting after section 6 the following new section: 214:6-a Inspector. The board may employ an inspector and authorize him to enter and make reasonable examination and inspection of any shop, school, or establishment, which is subject to the provisions of this chapter, during business hours for the purpose of ascertaining whether or not the rules and regulations of the board and the provisions of this chapter are being observed and to report his findings to the board. The inspector shall be twenty-one years of age or over, have a high school education, or its equivalent, and be licensed as a hairdresser under the provisions of this chapter and have held such license continuously for the five years immediately preceding his appointment.

Amend section 3 of the bill by striking out in line fifteen the figure "2.00" and inserting in place thereof the figure, 5.00; further amend said section by striking out line seventeen and inserting in place thereof the following,

Nonresident Manicurist 15.00 5.00;
further amend said section by striking out in line twenty the figure, "2.00" and inserting in place thereof the figure, 5.00;
further amend said section by adding at the end thereof the following,

Duplicate License 1.00 1.00
Apprentice License 5.00 2.00,

so that said section as amended shall read as follows:

3 Fees Increased. Amend RSA 314:21 (supp) as amended by 1957, 7:2, by striking out the same and inserting in place thereof the following: 314:21 Fees. Except as herein otherwise provided, the fees established hereunder to be paid to said board shall be as follows:

Applicant	Original	Renewal
School	\$100.00	\$50.00
Shop (hairdresser) if application is made originally between April first and June thirtieth of any year	7.00	10.00
Shop (hairdresser)	10.00	10.00
Short-term Shop (hairdressing or manicuring)	5.00	5.00
Manicuring Shop	5.00	5.00
Hairdresser	15.00	5.00
Nonresident Hairdresser	25.00	5.00
Manicurist	15.00	5.00
Nonresident Manicurist	15.00	5.00
(After issuance of nonresident manicurist's license if applicant subsequently becomes a bona fide resident of this state) renewal fee		2.00
Examination, including original license:		
Hairdresser	15.00	5.00
Manicurist	15.00	5.00
Hairdresser Instructor	25.00	10.00
Shop Management	10.00	5.00
Demonstrators	10.00	5.00

Duplicate License	1.00	1.00
Apprentice License	5.00	2.00

* * *

On motion of Senator Blaisdell, the reading of the amendment was dispensed with.

Senator Gardner: "Mr. President, all the amendment does — it strikes out the words 'It shall determine his duties and salary and he shall not be subject to the provisions of the personnel laws of the state.' It does make him subject to the personnel laws and the salary is established by the budget."

The amendment was adopted.

Senator Gardner explained the bill: "Mr. President, it gives 1) Permission to board of hairdressers to employ an inspector for the purpose of ascertaining whether or not the rules and regulations of the board and chapter 214 are being observed. 2) Like other personnel they are governed by the statutes as a classified state employee and are therefore under all personnel regulations. The salary is established by the budget."

The bill as amended was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 97, relative to police authority of the director of aeronautics and his field assistants. Ought to pass.

Senator English: "Mr. President, HB 97 has to do with the police authority of the Director of Aeronautics and his field and office assistants. It provides for arrest in the case of violation of the statutes relating to aeronautics. The power granted under this bill would appear to be satisfactorily circumscribed and the Director of the Aeronautics Commission assured the Committee that it would be used with discretion."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 234, relative to the right of public utilities to enter upon land. Ought to pass.

Senator English: "Mr. President, HB 234 takes care of a problem facing the Public Utilities when they need to enter upon land and are unable to determine the ownership of the

land. This is sometimes necessary to determine the location of proposed lines or for like reasons."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 291, relating to fees in the superior court. Ought to pass.

Senator English: "Mr. President, HB 291 is uniquely concerned with the fees charged for copies of bills in equity. Under the existing statutes, extra copies could be charged for at the rate of \$2.00 each. This reduces the sum to 50 cents. It was pointed out that in some cases, more than 100 copies are required."

The bill was ordered to a third reading.

Senators Johnson, Gardner, Martin, Howard, Provost, Bergeron, Buchanan and Saggiotes, for a Majority of the Committee on Executive Depts., Municipal & County Government: SB 56, creating separate departments of parks, recreation, and forestry, planning and promotion and economic development. Inexpedient to legislate.

Senator Foley, for a Minority of the Committee on Executive Depts., Municipal & County Government: SB 56, creating separate departments of parks, recreation, and forestry, planning and promotion and economic development. Ought to pass.

The reports were accepted.

Senator Martel moved that the report of the Minority, Ought to pass, be substituted for the report of the Majority, Inexpedient to legislate and spoke in support:

"Mr. President, I will repeat once again — in all the twenty years of my legislative experience, I have never encountered a situation like this. Hearings were held last week. We had many competent people and the general public who felt that there was a dire need for changes. But I was told on coming in here this morning that the Committee just struck all of that testimony off with a few minutes' meeting. No time was given for amendments, etc. I feel that the Republican leadership is not interested in this bill. I have always felt that the Republican Party and the Democratic Party, after the election was over, should work together for the betterment of our peo-

ple — all of our people — and for the betterment of our State. But this is not the case. This session is the worst that I have ever attended. The Governor, as you know, not too long ago, has indicated his willingness to go half way — fifty-fifty — to provide more orderly progress in this situation. I felt that the Republican leadership was reasonable — that they meant what they said. Do you realize that we have a Governor sitting over there who was elected by better than a 90% majority — in having been elected to that office. In the past, when we had a Republican Governor — I voted for reorganization under Governor Adams and Governor Powell. I know that after a time, we find things that need to be changed in later sessions. But we are not interested in doing this now. Oh no. We are more interested in some individual who wishes to become Governor. Someone who does not wish to go along with what the administration feels is good. We have gone along with the administration under a Republican Governor in the past, but there are those who will not go along now. But why should we be concerned with a political has-been to direct the proceedings of this session. If he had come out — the Governor would listen and go along. But when they told me after a meeting of the two Committees on Tuesday — I believe there was a feeling of more consideration to be given. And then this morning — when we are elected, my colleagues, we should put political philosophy aside and work together for the benefit of all of our people. We have done this. I realize that in the first days of the session, unfortunate things did happen. But I do feel that there is a feeling of leadership among the body and the administration to come to some agreeable solution. Apparently, they are not interested. I wonder, Mr. President, if my colleagues with whom I have sat here before, whom I have respected and whom I respect, but I feel that they are under pressure by someone who is not interested in the welfare of our people and welfare of our State. I am wondering if my colleagues would change their minds and look into the merits of the bill instead of being people who are interested this session."

Senator Foley: "Mr. President, Senate Bill 56 is 127 pages long. . . . It took many hours of research and investigation . . . of meetings and counselling. . . . It was not a quick act on a governor's part to reorganize the Department of Resources and Economic Development . . . it came after meetings and reports of a forestry committee with over 80 in this group, 90% of

whom are Republican. . . . It came because the members of the Advisory Commission were not happy and had recommended changes . . . heads of departments were called in . . . workers were interviewed . . . and from all of their views and ideas, the governor and his legal counsel drew up the nucleus of Senate Bill 56, and then after many painstaking hours, they finally presented the bill for Senate study and action.

"During the hearing, Governor's Counsel, Mr. Millimet, reiterated many times that, no doubt, there were flaws in the bill . . . the Governor was ready and willing to listen to changes. . . . Many who testified, while agreeing with the overall picture of the bill, pointed out small items in which they expressed concern. . . . The majority found no great wrong.

"Most heads of departments were present and were most interested but felt that this was a public hearing for other than actual state employees for this department. They felt that their time would come when, during executive hearings, they would be called into the meetings to freely express their opinions and viewpoints. I have talked to many of these heads and know this to be true.

"Tuesday, during executive session there was a very general discussion on the aspects of the bill . . . many letters which had come into the committee favorable to SB 56 were read . . . four copies of the testimony of the hearing were passed around for study . . . the word amendments was bandied about . . . I heard no mention of wholesale scuttling of SB 56 . . . no mention of another bill . . . and it was agreed that another meeting would be held for further study . . . so with the copy of the testimony and my 127 page bill tucked underneath my arm, I went home.

"Wednesday, the bill is inexpedient to legislate and lo and behold a new bill is about to be born . . . fathered and nurtured by Republicans . . . who, it is rumored, were in labor 40-50 hours and who now are giving birth to a new dred . . . out of the nowhere . . . into the here . . . leaving Senate Bill 56, a lonely orphan . . . little Louise Martel Dred . . . unloved because of circumstances beyond her control . . . lost in the political maelstrom . . . she was a well-written young lady, the object of much care and devotion . . . loved by most everyone until someone debated the origin of her grandparents and aspersions to cast at her noble name . . . Louise Martel Dred . . . they say that

she was fathered by a democrat . . . couldn't she have been rehabilitated? Weren't there *some good* qualities somewhere so that she could have been saved? Perhaps a separation of planning and promotion? Or at least have tried to save that wonderful part of little SB 56 . . . the industrial development part? Surely this had merit?

"Oh could all of the proud people responsible for this orphan — all been so downright dead wrong? The answer is simple . . . yes . . . they are dead wrong . . . little 56 . . . little Louise Dred is the victim of circumstances . . . she was sired by the wrong party . . . she was beyond redemption . . . her past had caught up to her . . . what matters if her originator had a plurality of 96,000 votes and had the confidence of the people . . . let's kill the bill . . . what matters that people who actually run big dred weren't called in by this committee to explain the good in little dred 56 . . . there's so much good in the worst of us . . . let's kill the bill . . . what *does* matter is just what is mattering this minute in the hall next door . . . scuttle . . . it's all in the name . . . down with Louse Martel Dred . . . we'll produce our own charmer . . . we'll give her a new number . . . we'll give her a new name . . . Willena Johnson Dred? She perhaps will have many similar characteristics of her half sister . . . poor Cinderella 56 . . . but she'll be introduced by a different party . . . she'll pass with flying colors . . . she'll make the grade . . . I'm wondering if after she passes, will her diploma be signed?

"Senate Bill 56 was drafted with help from both parties . . . partisan politics were not involved. The economic welfare of the State *is* involved . . . Economic development is the life blood of every state . . . we have problems . . . New Hampshire has scores of problem areas . . . the north country where workers are leaving the city due to complete lack of employment possibilities . . . the seacoast area . . . faced with possible economic disaster in ten years . . . the Connecticut Valley Region with its lack of industrial development . . . to name but a few . . . in our neighboring state of Maine . . . an all out effort is presently being centered on economic development with tangible results . . . yet when the golden opportunity to retrench our developmental efforts is presented in the form of SB 56, a flagrant disregard for the economic welfare of New Hampshire and its citizens is shown by the Republican Party of this state. I repeat,

Senate Bill 56 might need amendments . . . it is worth saving . . . I ask you to accept the minority report of this Committee."

Senator Riley: "Mr. President, I am not a member of the Committees involved but because of keen interest in our outdoors, our forest, and our *industrial development*, I attended the hearings on SB 56.

"After spending considerable time at the hearings, the only real opposition I observed to SB 56 was extracted from Commissioner Rowe and volunteered by Ex-Gov. Powell's next door neighbor, Commissioner Willard L. Wagner. Due to these facts, I was appalled when I heard the results of yesterday's committee report. How anyone could, with an open mind, hear the testimony I heard and bring in a report such as was brought in by the Finance Committee and Executive Departments, Municipal & County Governments Committee leads me to believe that the committees could as well have had its executive session without the public hearings, thus saving considerable time, expense, and trouble for I am sure the results would have been the same. I wonder how long a vote *against* John King will continue to take precedent over a vote *for* New Hampshire in this Senate chamber.

"I am sure Governor King nor anyone else expected SB 56 to come out of committee as drafted, for with such learned and informed persons as comprise our two committees, I feel certain they could find areas for improvement, compromise, and constructive suggestions. But the short time spent in executive session, I believe, indicates that the results of yesterday's session were pre-determined.

"SB 56 kept the departments of Parks, Recreation and Forestry together, as they should be, because they are so closely related and can and should function together.

"SB 56 established a separate Department of Planning and Promotion who answers to the Governor and Council who in turn in open must bring their case to the people of New Hampshire every two years to justify their policies and existence. I cannot understand how anyone can believe that a commission of individuals who are interested in such diversified fields as forestry, industrial development, and publicity can better serve the will of the people of New Hampshire than the Governor and Council.

"SB 56 established an independent Department of Economic or Industrial Development. The need for industrial development in New Hampshire is obvious and the concern of anyone who thinks of a better and a more secure future for the citizens of our Granite State. This Bill established a commission whose goals would be industrial development in New Hampshire and not chaos created by a commission with diversified interests heading in different directions or standing still because of not knowing in which direction to head.

"It is hard for me to believe how anyone who is opposed to cumbersome and bureaucratic government can, with an open mind, look at the organizational chart of the present DRED and also observe the organization chart of SB 56 drawn by Mr. Millimet and not at least choose the basic principles of SB 56.

"DRED was instituted to better serve the State and produce greater efficiency, yet 26 new positions were instituted in the years 1962-63 and 19 requested in 1964-65 with no foreseeable indication of improved service or greater efficiency.

"For these and many other reasons too numerous to mention, I urge my fellow Senators to vote for the minority report, thereby voting for the State of New Hampshire, also removing the stench of partisan politics from our great State."

Senator Blaisdell: "Mr. President, this has been a real lengthy session. I have no speech to make, but I took more time deliberating on a rabbit bill than you took on this whole complete bill, and I haven't made up my mind on the rabbit bill yet. Maybe that sounds foolish, but I believe I was elected to come over here and pass legislation to protect the people. It is hard for me to understand that the committee did not see anything in this bill that was good, I say this to Senator Martel, it is getting lonelier as we go along. I think you know what I mean. I ask that you substitute in the interest of the people of New Hampshire who elected all of us."

Senator Buchanan: "Mr. President, I would like to correct one or two impressions that may have been gathered. At the executive session of the Joint Committee on Tuesday last, I believe it was, there was considerable discussion on this bill as presented. No one at that committee hearing felt that the bill was perfect. Everyone agreed that it should be amended, in-

cluding the Senator from the 24th District. Subsequent to the departure of the Senator from the 24th District to go home, for reasons best known to herself, which no doubt were important, the Committee remained in session for a considerable time. After further discussion, it appeared a rather general opinion that to amend SB 56 in the efficient way in which it should be amended, would make for somewhat of a mechanical monstrosity and that many objectives which the bill set out to do would best be accomplished by a new bill. There comes a time, when there is no sense in fixing up the old bus — let's buy a new one. I would add further that at the executive hearing yesterday, the Senator from the 24th District was not present. The other members, all present at the session, were present at the hearing after the session. The consensus again seemed to be why strike things out with lengthy amendments when a new bill could accomplish it in a more expeditious and more efficient manner, and this was the result. I would point out to you, Mr. President, that the vote taken at the executive meeting yesterday noon was unanimous among those who saw fit to be present. I would like to go back briefly and will not take too much of the Senate's time in a lengthy diatribe here because most of us were present at the hearing in Representatives Hall last Tuesday for five and one-half hours to hear some 20 odd witnesses. I believe, aside from the Governor's legislative counsel who made a very fine presentation, and one other, no one who appeared felt that SB 56 should be passed as a whole by the Senate. On the contrary, there were people who would support one section of the bill and were opposed to others. Some were very much in sympathy with one part and against another. No one except the two gentlemen referred to was in favor of it. The amendments to a 127 page bill would bring it up to about the size of Encyclopedia Britannica. So we felt that in executive session yesterday noon, the best thing to do was to come out with a new bill. It will come out with bi-partisan responsibility and support. This new bill will correct several inadequacies in existing statutes in connection with DRED across the street. I would point out further that amending the situation which we opposed was putting Planning & Promotion together; which would create a whole lot of Chiefs and very few Indians, so a complete revision of the bill seemed more expeditious than to come out with a lot of amendments looking like a patchwork quilt. We are hopeful that we will have a bill presented to this body within a reasonable length of

time; a bill which we believe will do the job and have less verbiage than 127 pages. I am speaking in opposition to the pending motion and I trust that it will not prevail."

Senator Foley: "Mr. President, I would like to explain two things. At the meeting on Tuesday afternoon, I asked if I might be excused. I explained that I had been asked to represent the Governor at a meeting and supper and I asked to be excused. Yesterday, the Senator from the 12th District had a meeting of his committee and I asked how long he would be as I had to go over to the Annex to do two errands for some of my constituents. I did them as quickly as I could. As I was going up the stairs, I saw the committee coming down. I thought it was going to be an afternoon long meeting to discuss the whole of the bill."

Question being on motion of Senator Martel to substitute.

On this motion, Senator Foley demanded a Roll Call.

Senator Martel: "Mr. President, I am one who has always appreciated the remarks of Senator Buchanan. He makes excellent explanations when he gives his committee reports. I do not care if the Senator from the 12th District stands up and expounds for ten minutes or more. But I resent his reference as not going into lengthy diatribe. Whether addressed to me or to the Senator from the 24th District, I mean what I say. Last week, at a Manchester Council meeting, this matter was brought up. That Council has a very different interest in this bill. They felt that the reorganization has not accomplished that fact for which it was reorganized, after I had heard some of the evidence that had been offered at the public hearing. I would recall to Senator Buchanan, that two weeks ago, we passed a Resolution to add on any legal staff that may be deemed necessary. He asked me if I would go along with it. I read it and said yes, I will go along with it. He stated that the bill (and discussed DRED) will need many amendments, etc. Of course, if you do not like the present baby, you can put another one in the works and you can give it two fathers if you wish to. I am not interested in Party politics. You know that. Once I get into this Chamber, Party politics goes outside. I have never seen anything like this session. Whatever the job to be done, it is our job to do it. Let's substitute the report and send it over to the House. The House will be more than happy to make a new baby out of it."

Senator Buchanan: "Mr. President, under personal privilege, I would like to assure Senator Martel and Senator Foley that no offense should be taken from any remark of mine. No offense was made or implied."

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Lamontagne, Blaisdell, Riley, Martel and Foley.

The following named Senators voted in the negative: Martin, Mitchell, Gardner, Howard, Saggiotes, Gove, English, Buchanan, Rinden, Green, Provost, Waterhouse, Bergeron, O'Gara, Tufts and Hunter.

Five Senators having voted in the affirmative, and sixteen Senators having voted in the negative, the motion to substitute was lost.

Introduction of Guests

As the guests of Senator Riley, Mr. Oscar Morin, Jr., Chairman of the Board of Selectmen of Hooksett and friend.

As the guests of Senator Tufts, the following students from Exeter High School:

Ann Avery, Linda Bertrand, Donna Blanchard, Sarah Bickford, Clifford Bloom, Betsey Burns, Linda Cail, Patricia Collier, Barry Dimock, Sandra Eldredge, Carlene Ferron, Roberta Floyd, Linda Galos, Kenneth Goodman, Linda Grochmal, Everett Holland, Linda LeBlanc, George Nichols, Francis Plourde, Margaret Prescott, Judith Troy, Gretchen Turcotte, Charles Wilbur, Beverly Batchelder, Marcia Blodgett, Daniel Callahan, Linda Cutler, Rosemary Jefferson, Carol Keating, Joyce Lewis, Donald Marion, Pamela McLean, Mark Nelson, Maureen O'Leary, Martha Peabody, Richard Rourke, Janis Schultz, Ronald Swasey, Anne Tibbetts, Paul King, David Park, Bob Richard, Helene Franczak, John Rowe.

Question now being on adoption of recommendation of Committee on SB 56, Inexpedient to legislate.

On this question, Senator Foley demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Martin, Mitchell, Gardner, Howard, Saggiotes, Gove, English,

Buchanan, Rinden, Green, Provost, Waterhouse, Bergeron, O'Gara, Tufts and Hunter.

The following named Senators voted in the negative: Lamontagne, Blaisdell, Riley, Martel and Foley.

Sixteen Senators having voted in the affirmative, and five Senators having voted in the negative, the affirmative prevailed, and the recommendation of the Committee, Inexpedient to legislate, was adopted.

On motion of Senator Howard, the Senate refused to reconsider its vote above.

The President recognized Senator Martel: "I am reminded of a remark made by the Senator Lamprey that once a question has been discussed, debated, and indefinitely postponed, what about the new bill — is the new bill to be in the same jacket?"

The Chair: "The President of the Senate stated that if a bill had been indefinitely postponed, then the subject matter was closed. There has been no motion here this morning on indefinite postponement. The matter here this morning is inexpedient to legislate."

Senator Martel inquired: "Do you mean that it is possible to consider a matter after such a vote?"

The Chair: "It is my understanding, and the Chair will make a ruling if this comes up. If a bill is indefinitely postponed, there will be no further right to vote unless the Chair is overruled, so long as it is the same subject matter. If a bill is indefinitely postponed, the matter cannot be brought up. Indefinitely postpone kills the subject matter. The fact of inexpedient to legislate does not."

Engrossed Bills

The Committee on Engrossed Bills examined and found correctly engrossed the following entitled House and Senate Bills:

HB 312, An Act to increase the limit of investments of a bank in its banking building and to remove maximum limits of capital stock.

HB 336, An Act relative to investments of building and loan associations.

HB 48, An Act to authorize the dissolution of the Penacook school district and uniting it with the union school district of Concord.

SB 21, An Act relating to appeals from district or municipal courts.

HB 100, An Act relating to payment of veterans' burial expenses.

HB 241, An Act to provide an additional penalty for failure to appear in court after release on bail.

Eda C. Martin
For the Committee

The report was accepted.

Resolution

Senators Green, Martel, and Provost offered the following Resolution which was unanimously adopted:

Whereas, We have learned with sorrow of the death of Ernest R. D'Amours of Manchester who served as both Assistant Attorney-General and Attorney-General of the state from 1940 to 1949 and since 1949 has been State Director of Charitable Trusts, and

Whereas, The long-time membership of said deceased in the service of the state and his leadership in civic positions has been distinguished not only by his accomplishments but by his courtesy, efficiency, and fairness in all his dealings; therefore be it

Resolved, That we extend our heartfelt sympathy to his family in its bereavement and that a copy of these resolutions be sent to the family.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 18, enlarging the advisory commission on health and welfare.

On motion of Senator English, the Senate refused to reconsider its vote on the above bill.

SB 48, relating to hairdressers.

SB 94, amending the charter of the Nashua trust company.

HB 97, relative to police authority of the director of aeronautics and his field assistants.

HB 234, relative to the right of public utilities to enter upon land.

HB 291, relating to fees in the superior court.

HB 311, providing for an increase in the amount of the guaranty fund required of credit unions as a pre-requisite to the payment of dividends.

HB 316, to change the law regulating by-laws and meetings of credit unions.

On motion of Senator Tufts, the Senate adjourned at 12:42 a.m., to meet next Tuesday morning at 11 o'clock.

TUESDAY, May 11, 1965

The Senate met according to adjournment.

Senator English, District No. 11, presiding.

A quorum was present.

Resolution

Senator Riley offered the following Resolution which was unanimously adopted by a standing vote and one minute of silence:

Whereas, We have learned with sorrow of the passing of Senator Louis W. Paquette, our colleague from District No. 13; and

Whereas, Senator Paquette has been a Member of this Honorable Body for eight consecutive sessions; and

Whereas, He served his District and the State of New Hampshire faithfully and with distinction; and

Whereas, His passing is a great loss to the Senate; now, therefore, be it

Resolved, That we, the members of the Senate, extend to his family our sincere and heartfelt sympathy in their bereavement; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to his family.

House Message — First & Second Reading of Bills

HB 463, increasing the salaries of the county commissioners of Carroll County. Referred to Resources, Recreation & Development.

HB 485, changing the name of North River Pond to North River Lake. Referred to Resources, Recreation & Development.

HB 494, changing the name of Marston Pond (Lake) in town of Nottingham to Nottingham Lake. Referred to Resources, Recreation & Development.

The Message further stated that the House of Representatives has voted to concur with the Senate in its amendments to the following entitled bill:

SB 49, relative to hunting with muzzle-loaders.

The Message also stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 60, relative to the board of trustees of the University of New Hampshire.

Amend the bill by striking out section 2 and inserting in its place the following:

2 Original Terms of the Two Additional Trustees. The two additional trustees provided for by section 1 of this act shall be originally elected by the alumni at a time to be set by the board of trustees of the New Hampshire college of agriculture and the mechanic arts and University of New Hampshire,

one for a term expiring June 30, 1966 and the other for a term expiring June 30, 1969 and their successors shall be elected thereafter for regular four year terms.

Further amend the bill by striking out in section 3 the word "June" and inserting in its place the word, July, so that the section is amended to read:

3 Takes Effect. This act shall take effect July 1, 1965.

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

Senator Buchanan: "Mr. President, I introduced this bill and with all due respect to you and your Committee, it could have been amended in the Education Committee. These simple amendments clarify the term of the two additional trustees; one will be elected for a term of one year and the other for a term of four years and changes the effective date from June to July. That is all the amendments do."

On motion of Senator Buchanan, the Senate voted to concur.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 65, relative to larceny of rented motor vehicles.

Amend section 2 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that the section is amended to read:

2 Takes Effect. This act shall take effect upon its passage.

On motion of Senator Lamontagne, the Senate voted to concur.

Introduction, First & Second Reading of Senate Bills

SB 99, relative to the national system of interstate and defense highways. (Johnson — thru Rules) Referred to Public Works & Transportation.

SB 100, relative to appointment of process agent by foreign corporation. (Johnson — thru Rules) Referred to Judiciary.

Introduction of Guests

As the guests of Senator Hunter, a class in Social Studies from Winnacunnet High School in Hampton.

As the guests of Senator Gardner, pupils from the Academy Street School at Laconia.

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 68, increasing the amount of pension towns may grant to certain firemen, police officers, or constables. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced by Senator Riley. In essence, it allows each town or city to increase the amount of pension for disabled public workers from \$500 to \$1,000. This is permissive legislation and nothing in the law makes it obligatory. In any specific case, there must be an article in the town warrant at the regular town meeting. There was no opposition."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 86, changing part of the boundary line between the towns of Auburn and Hooksett. Ought to pass with amendment.

Amend section 1 of the bill by striking out in line twenty-six the word "Exeter" and inserting in place thereof the word, Hooksett, so that said section as amended shall read as follows:

1 Town Line. The portion of the boundary line between the towns of Auburn and Hooksett northerly from the corner which is the northeasterly corner of the city of Manchester and the southeasterly corner of the town of Hooksett shall be as follows: beginning at a stone set in the ground and marked A.H.M. and which marks the northeasterly corner of the city of Manchester and the southeasterly corner of Hooksett, said stone being seven (7) rods north of Wellington Avenue and three (3) rods west of the house now or formerly of Amos Young; thence N. 3° 20' W. two hundred thirteen (213) feet, more or less, to a stone bound at land of Roy W. and Norma F. Davis, said stone bound also being the northeasterly corner of land of Charles Martin; thence, N. 87° E. by land of said Davis

eighty nine and thirty five one hundredths (89.35) feet to an iron fence at land of the state of New Hampshire; thence, N. 6° 20' W. by said iron fence along land of the state eleven hundred (1100) feet to a corner of iron fence; thence, N. 62° 45' W. by said iron fence one hundred seventy (170) feet, more or less to a bound on the town line of the towns above mentioned. All that portion of the town of Auburn lying west of the above described line is hereby disannexed from the town of Auburn and annexed to the town of Hooksett and all that portion of the town of Hooksett lying east of the above described line is hereby disannexed from the town of Hooksett and annexed to the town of Auburn.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Referendum. The provisions of section 1 of this act shall take effect pursuant to the provisions of RSA 51:9 upon ratification by a two-thirds vote of the voters of both the town of Auburn and the town of Hooksett.

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

Senator Buchanan: "Mr. President, the amendment is very simple. Somehow, the printer inserted the word 'Exeter' where 'Hooksett' should have appeared. That is the only purpose of the amendment — to correct a typographical error."

The amendment was adopted.

Senator Buchanan: "Mr. President, this bill was co-sponsored by Senators Riley and Waterhouse. This will permit a change in the town lines which at the present time goes through several houses. The Board of Selectmen of each town have interviewed the people affected and have drawn the line in accordance with their wishes, and the town line will coincide with the property lines. This must be voted on and adopted at the town meeting. All directly concerned are agreeable to this change."

Senator Riley: "Mr. President, I think I might add an additional word to what Senator Buchanan has said. There was a fence in back of these properties which everyone thought was the town line and some ten years later, during a search of title, it was found that the town line went right through these houses.

The kitchen might be in one town and the living room in the other. People had been paying taxes and sending their children to school in Hooksett and in reality it was discovered that they lived in Auburn. This will allow them to continue to live where they thought they were living."

The bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 87, relative to compensation of the policemen of the city of Portsmouth. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced by Senator Foley, at the request of the Police Commissioner and Portsmouth Police Association. It is permissive legislation only and states that after a 40 hour week of work, for further work the Police Commission will decide whether or not the police should receive time and one-half for hours over 40 hours. It is my understanding that this bill will be referred to the Portsmouth Delegation in the House if it passes this body and at that time a more extensive public hearing will be held in the city of Portsmouth at which time interested Portsmouth people may appear. There was no opposition to this bill and it was voted unanimously as ought to pass."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 406, legalizing proceedings at the town meeting November 10, 1964 in the town of Ossipee. Ought to pass.

Senator Buchanan: "Mr. President, this is a housekeeping bill which the law requires that we take care of. Apparently, in the town of Ossipee, prior to a town meeting held in November, the notice of the warrant was improperly posted. This will correct that situation. There are no bond issues concerned, etc."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 408, legalizing proceedings at the town meeting March 9, 1965, in the town of Northfield. Ought to pass.

Senator Buchanan: "Mr. President, this is similar to the previous bill. In this case, the town reports were not printed in

time and therefore, the meeting will not be legal until we pass this bill. No bond issues or anything of a serious nature involved, but the proceedings should be legalized. There was no opposition."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 490, legalizing the annual town meeting of 1965 in the town of Gilford. Ought to pass.

Senator Buchanan: "Mr. President, this again, is a routine bill. The notice of the warrant was improperly posted. This bill corrects this — no bond issues involved."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: SB 43, relative to the laying out of Class IV, V, and VI highways by cities and towns. Ought to pass.

Senator Gove: "Mr. President, this bill was introduced as a result of the action of the Board of Aldermen of the City of Concord and has the enthusiastic support of the Municipal Association. There was no objection at the hearing. What the bill does is to authorize Cities and Towns to proceed with eminent domain proceedings on the same ground rules as the State. It gives the municipalities the same right as is enjoyed in the laying out of highways. It takes away the delaying tactics that sometimes have occurred in land taking where public necessity is questioned. It provides all of the safeguards to the property holder that he has when the State takes over. There was no opposition and quite a bit of support for the bill."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 183, to provide assistance for families and businesses displaced by highway construction or reconstruction projects. Ought to pass.

Senator Gove: "Mr. President, this bill had the enthusiastic support of the members of the Public Works Committee. This corrects an injustice in our present laws. It provides that people who rent property that is taken away as a result of our highway program may be reimbursed to the tune of \$200 for moving ex-

penses. Also, businesses that have to move, it reimburses them up to \$3,000. The federal government provides that this be done, but the State statutes are such that the state highway department could not reimburse these people, some of whom have been living in trailers, etc., who are deprived of any compensation for the inconvenience of having to move as a result of highway department activity. The highway department was in support of this and nobody appeared opposed to it and we think it is excellent legislation."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 217, to reclassify a Class V highway in the town of Walpole to a Class II highway. Ought to pass.

Senator Gove: "Mr. President, this is a road keeping bill; again, having the support of the highway department and the support of the Selectmen in the town. It reclassifies a very small segment of highway in the town of Walpole."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SB 89, to make the salary of city, town and school district employees subject to trustee process. Ought to pass.

Senator Johnson: "Mr. President, this is a bill introduced by Senator Rinden. At the present time, our County and State employees may have their pay attached. At the present time, our city, town and school district employees are not subject to attachment. Therefore, the purpose of this bill is to put them in line with the County and State."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 240, to authorize the issuance of jury venires during session of court. Ought to pass.

Senator Johnson: "Mr. President, in essence, what this bill does — during a trial it sometimes becomes necessary that the court asks that there be more jurors brought in. Obviously, there are numbers of people who for various reasons disqualify themselves or are disqualified. At the present time, the law is that the list is made up before the session.

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 294, giving members of the National Guard limited authority to arrest persons while in active state service ordered by the governor in case of riot or breach of peace. Ought to pass.

Senator Riley: "Mr. President, I believe the lengthy title of this bill is almost self-explanatory. It undoubtedly was brought about because of the problem of the riot at Hampton Beach last summer. If members of the National Guard bring in people they have picked up, they must turn them over to the civil authorities. When they were brought into court, the civil authority would be asked if he had seen the act committed. He would say 'no' and the individual would get off scot-free. This would give the members of the National Guard the authority to arrest in cases of this kind."

The Chair: "This bill was amended in the House and the amendment appeared on Page 1137 of the House Journal."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 239, to increase the penalty for aggravated assault. Ought to pass.

Senator Riley: "Mr. President, again, this bill increases the penalty for aggravated assault from three to ten years and increases the fine from \$500 to \$1,000. Because of the increase in this type of crime, it was felt that an increase in penalty was necessary. There was no opposition."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 325, relating to early land acquisition by housing authorities. Ought to pass, as amended.

Senator Martel: "Mr. President, this bill is simply to authorize local Housing Authorities to make early land and building acquisition notwithstanding the statutes now on the books. It provides that the agencies may purchase these projects if the owners are willing, instead of waiting until all the statutory requirements are met. There was no opposition and it has the support of people particularly in Manchester where there is a low income edifice to be erected. They are in favor of passage."

Senator Johnson: "Mr. President, I think there are two things that should be said about the bill. It legalizes the city

council or town board to take a step here to vote in this act of buying land before all the financial plans have been approved. It is permissive legislation. It does not require this to be done. It provides if the overall plans do not pass, then the city will take this land and sell it. If there is any loss, it is up to the city to stand this loss. It should be understood that each city council or town board must realize this."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 346, to make it unlawful for any person to resist arrest or interfere with a conservation officer in the performance of his duty. Ought to pass.

Senator Riley: "Mr. President, at the present time, there is no law on the books that makes it a crime to interfere with a conservation officer while in the performance of his duties. This bill simply is to make it unlawful for anyone to resist a conservation officer by refusing to obey or interfering with his duties."

The bill was ordered to a third reading.

Senator English, for the Committee on Education: HB 441, authorizing the department of education to participate in federal program for Civil Defense Adult Education. Ought to pass.

Senator Foley: "Mr. President, this is a departmental bill that was introduced at the request of the Education Department; Paul Farnum and Louis Foote. It simply authorizes the State Department to participate in the federal program of Civil Defense Adult Education. There was no opposition."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Engrossed Bills: HB 291, relating to fees in the superior court. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Copies. Amend RSA 499 by inserting after section 18 (supp) as amended by 1963, 219:1 the following new section: 499-18-a Reduced Fees for Copies of Bills in Equity. When more than five copies

The Senate voted to concur in the adoption of amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 316, to change the law regulating by-laws and meetings of credit unions. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

to change the law regulating meetings of
credit unions.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Special Order of Business for 11:01

Senator Johnson called for the Special Order.

Question being consideration of Concurrent Resolution relative to amendment of Joint Rule 12.

The Chair: "This Concurrent Resolution was published in the Senate Journal of April 29th, on page 449."

Senator Johnson: "Mr. President, the purpose of this Concurrent Resolution is simply this. At the last Constitutional Convention, the power was given to the General Court to propose changes to the State Constitution. The purpose of this rule change is necessary to set up a procedure whereby we will be able to carry out this new function which we have which is to propose changes to our State Constitution. The procedure will be as follows:

"A person desiring to make a change to the State Constitution will start with a Concurrent Resolution which will be introduced. This Concurrent Resolution will be treated as a bill, which means that there are public hearings, sent to Committee, and the usual reporting system. In summary, the purpose of this rule change is to set up a procedure to make changes in the State Constitution."

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

On a *viva voce* vote, the Senate voted to concur in the adoption of the above Concurrent Resolution.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 97, An Act relative to police authority of the director of aeronautics and his field assistants.

HB 234, An Act relative to the right of public utilities to enter upon land.

HB 311, An Act providing for an increase in the amount of the guaranty fund required of credit unions as a pre-requisite to the payment of dividends.

HB 360, An Act to authorize banks to invest in service corporations.

SB 49, An Act relative to hunting with muzzle-loaders.

HJR 11, Joint Resolution in favor of Peter J. Jenovese.

HJR 32, Joint Resolution in favor of John F. Hart, Jr.

Eda Martin
For the Committee

The report was accepted.

On motion of Senator Martel, the rules were so far suspended as to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 43, relative to the laying out of class IV, V, and VI highways by cities and towns.

SB 68, increasing the amount of pension towns may grant to certain firemen, police officers, or constables.

SB 86, changing part of the boundary line between the towns of Auburn and Hooksett.

SB 87, relative to compensation of the policemen of the city of Portsmouth.

SB 89, to make the salary of city, town and school district employees subject to trustee process.

HB 183, to provide assistance for families and businesses displaced by highway construction or reconstruction projects.

HB 217, to reclassify a class V highway in the town of Walpole to a class II highway.

HB 239, to increase the penalty for aggravated assault.

HB 240, to authorize the issuance of jury venires during session of court.

HB 294, giving members of the National Guard limited authority to arrest persons while in active state service ordered by the governor in case of riot or breach of peace.

HB 325, relating to early land acquisition by housing authorities.

HB 346, to make it unlawful for any person to resist arrest or interfere with a conservation officer in the performance of his duty.

HB 406, legalizing proceedings at the town meeting November 10, 1964 in the town of Ossipee.

HB 408, legalizing proceedings at the town meeting March 9, 1965, in the town of Northfield.

HB 441, authorizing the department of education to participate in federal program for Civil Defense Adult Education.

HB 490, legalizing the annual town meeting of 1965 in the town of Gilford.

Senator Martel inquired of Senator Johnson: "I was wondering, on April 28th, the Senate voted to adopt a Resolution providing for the hiring of extra help in preparing bills and also in preparing amendments. Will you be able to tell me at

this time if anyone has been hired as yet by the proper Committee which I suppose is the Finance Committee?"

Senator Johnson: "Yes. Attorney Gilbert Upton has helped us with the DRED bill in working on a first draft in changes to this bill."

Senator Martel: "I was quite displeased, as you may remember last Thursday, at the action taken by this body, and if I had known at the time I spoke in favor of this Resolution, I will state that I would have voted against it. I regret having voted for the Resolution at the time. I say this because I was very much displeased by the action taken here last Thursday. I had the impression that we would work together. . . . I noticed the gentleman from across the street taking notes at the hearing. It looks as though it was already arranged ahead of time."

Senator Johnson: "I believe I should reply to Senator Martel. At the time of the Resolution, it was perfectly obvious that there was a need for a staff to assist in the drafting of bills. Mr. Arthur Marx, as you can see, is still serving as Assistant Clerk. It is imperative that we have a staff to help us. Now I don't think anyone would deny the Majority Party in this Senate the right to have assistance to draft legislation which they feel is important. The Governor of this State has a staff, a full time staff, and I believe at least three different lawyers have been working for the Governor in drafting his bills. It seems to me certainly fair that the Majority Party in this Senate, if they desire to make changes or to draft bills, that they have the staff."

On motion of Senator Martin, the Senate adjourned at 12:22 p.m.

WEDNESDAY, May 12, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

The President welcomed to the Senate, the following group of Republican women from Hillsborough County who were

visiting the State House today as a part of "Legislative Days" being sponsored by the Women's Division of the Republican Party of New Hampshire, Mrs. Mildred K. Perkins, Chairman: Edna Yeaple, Deering; Clarat Rich, Deering; Barbara Hinds, Pelham; Rose Bovaird, Manchester; Rosamond Buchanan, Amherst; Dorothy Hosmer, Martha Cole, Nashua; Mrs. Howard Washburn, Manchester; Mrs. Florence Danforth, Manchester; Mrs. Jail A. Elmgren, Manchester; Mrs. Reginald R. Tibbetts, Manchester; Mrs. Fred Hondschurcher, Manchester; Mrs. Richard G. Houle, Manchester; Miss Mildred Rowell, Manchester; Mrs. Forest A. Mills, Pelham; Mrs. John McLane, Manchester; Mrs. Warren Caswell, Manchester; Mrs. Ezra A. Jones, Manchester; Mrs. Helen Barker, Nashua; Ann VanLoan, Bedford; Mrs. Louis Wyman, Manchester; Mrs. Donald J. Flanagan, Manchester; Carol Chace, Manchester; Grace Gaedicke, Manchester; Adrienne Laflamme, Manchester; Rita G. Paradise, Manchester; Harriet F. Bachelder, Manchester; Edith B. Gaudes, Manchester; Alice Cleghorn, Pelham; Marjorie E. Wagner, Pelham; Patricia Vining, Pelham; Jane Frink, Manchester; Lillian Mellen, Pelham; Beverly Harrises, Manchester; Beatris Maki, Pelham; Beatrice F. Wakeman, Manchester; Alice Hines, Amherst; Elizabeth B. Shaw, Manchester; Benita Lyons, Manchester; Mrs. Vernon C. Warren, Manchester; Mrs. James Wilcox, Manchester; Mrs. W. B. Baker, Goffstown; Mrs. W. M. Bailey, Goffstown; Barbara Mathes, Milford; Arlene Currier, Amherst; Marcelle Currier, Amherst; Peg Couch, Amherst; Elsa B. Frederick, Manchester; Isabel F. Rogers, Manchester.

As guests of Senator Tufts the following students from Rockingham School, Exeter, New Hampshire, accompanied by Mrs. Arlene Bradbury, Mrs. Isabel Macomber, Mrs. Joan Wright:

Jonathan West, Cheryl St. Jean, Earl Rogers, Glenn Hogan, William LeClair, William Paul, Priscilla Bush, Loan Spear, Paul Thonbro, Susan Ouilette.

Guests of Senator Buchanan: Margaret Enoch, Marcelle Lord, Barbara Watts, Arlene Currier, Dorothy Husmer, Anne Hines.

As the guest of Senator Lamontagne, Representative Frank Sheridan of Berlin.

The President expressed to each and every Senator his sincere thanks and appreciation for the many courtesies extended

to him during the past week — the flowers, the many calls and cards, and stated that he appreciated all of them and that they had helped a great deal.

House Message — First & Second Reading of Bills

HB 141, Relating to disqualification of a school board member for conflict of interest. Referred to Education.

HB 324, to establish a capital reserve item for special tax areas in the town of Hanover, and exempting personal property from sewer and sidewalk area taxes. Referred to Executive Depts., Municipal & County Government.

HB 411, relative to trustees of Brewster Free Academy. Referred to Education.

On motion of Senator English, the rules were suspended, and the order whereby the above entitled bill had been referred to the Committee on Education was vacated, and the bill was referred to the Committee on Executive Depts., Municipal & County Government.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill:

SB 52, relative to the city manager of the city of Berlin.

Introduction, First & Second Reading of Senate Bills

SB 101, relative to the recognition of certain marriages performed out of the state. (Lamontagne) Referred to Judiciary.

SB 102, increasing the number of fire commissioners for the city of Manchester. (Provost) Referred to Special Committee consisting of the Manchester Delegation.

SB 103, increasing the number of highway commissioners for the city of Manchester. (Provost) Referred to Special Committee consisting of the Manchester Delegation.

SB 104, to regulate the practice of land surveying. (Hunter) Referred to Joint Committee of Executive Depts., Municipal & County Government and Finance.

House Message — First & Second Reading of Bills

HB 652, providing for an additional appropriation for expenses of the legislature. Referred to Finance Committee.

On motion of Senator Johnson, the rules were suspended, referral to committee and holding of public hearing was dispensed with and the bill was taken up at the present time.

Senator Johnson: "Mr. President, the purpose of this bill is to pay ourselves, to put it bluntly. Each session this bill comes in. The purpose is to pay for the mileage of the House and Senate and other costs of this body and the House."

Senator Foley inquired: "Is this extra money or is this all that has been allowed?"

Senator Johnson: "This is the amount of money that we need to get us through to July 1st. We are out of money."

Senator Foley: "Did we use more money or did we just not figure right?"

Senator Johnson: "This has been done each session. It is necessary to ask for additional funds."

On a *viva voce* vote, the motion to suspend the rules carried.

The bill was ordered to a third reading.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HJR 5, in favor of Kaston R. Zablackas. Ought to pass.

Senator Buchanan: "Mr. President, this joint resolution is an attempt to pay to this man, or to his estate, his Korean War bonus. He was out of the country at the time of expiration of the filing period. This is the only way that his bonus can be paid. There was no opposition and the Adjutant General's office appeared in favor of the joint resolution."

The joint resolution was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SB 90, raising the maximum amount of group life insurance allowed to be written for two or more employers

in the same industry or two or more labor unions. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced by Senator Gove and myself and it simply brings into line a section of the group insurance code of the State which at the present time discriminates against certain types of non-profit organizations. Some organizations are permitted larger amounts of group insurance than others and this bill was introduced to bring them into line. There was no opposition and the Insurance Department has expressed itself as being in favor of it."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SJR 9, in favor of Richard J. Houle. Ought to pass.

Senator Buchanan: "Mr. President, this joint resolution in favor of Mr. Houle is about as insignificant an amount as can be imagined — \$15.00. It seems this young man was overseas in the service and sent home for an absentee ballot in order to vote. The Selectman said he must pay his head taxes, which he did. When this came to the attention of the Tax Commission, they said this should not have been done. There was no opposition and this is the only way that he can get his \$15 back."

The joint resolution was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 72, relative to the transfer of attorneys between departments. Ought to pass.

Senator Buchanan: "Mr. President, in 1950 a law was passed which authorized the Governor to transfer attorneys working specifically for one department from that department to the Attorney General's office. In fact, early this year the Governor's office transferred the attorney who had been working full time for the Department of Health & Welfare to the Attorney General's office under the provisions of the aforesaid law. This bill was introduced by Senator Gardner on behalf of the Commissioner of Health & Welfare because the Commissioner advised us at the hearing that if this is passed, he will go before the House and Senate Finance Committees and ask again that an attorney be appointed to his department. We will just have a case of musical chairs if this bill is not passed.

The Commissioner feels that there is sufficient work in his Department to warrant a full time attorney. He has had a full time attorney since 1954. There was opposition to this bill from the Attorney General's office. Attorney Pappagianis appeared and spoke against the passage of the bill. He stated that all attorneys in the State should be working out of that office. Assistant Attorney Generals are assigned to the various departments in the State government and stated that the attorney representing the Health & Welfare Department has no other assignments. The Commissioner protested that he still did not have the full time services of a full time attorney and respectfully asks that this bill be passed. All the members present at the executive session voted this bill as ought to pass."

Senator Riley inquired: "Did not Mr. Pappagianis state that this attorney would be much better off in the Attorney General's office than in the Health & Welfare Department?"

Senator Buchanan: "This was one of Mr. Pappagianis' remarks that with the attorney working in the Attorney General's office, his decisions would be subject to review by the Attorney General and other Attorney Generals in the office. They got by for eleven years without it."

The bill was ordered to a third reading.

Senators Riley and Blaisdell wished to be recorded as voting against the above bill.

Senator Hunter, for the Special Committee, consisting of the Portsmouth Delegation: HB 332, relative to charter of City of Portsmouth. Ought to pass.

Senator Foley: "Mr. President, the city of Portsmouth has a non-partisan government. We have nine Councilmen elected every two years, a Mayor and Assistant Mayor. This bill says that in case of a vacancy, the next one in line will automatically be named to the post. There was very little opposition to this bill."

The bill was ordered to a third reading.

Communication

DEPARTMENT OF HEALTH AND WELFARE
Division of Public Health

May 10, 1965

Honorable Stewart Lamprey, President
New Hampshire State Senate
State House
Concord, New Hampshire

Dear Mr. Lamprey:

We are pleased to report participation by 265 members of the New Hampshire State Legislature in the initial New Hampshire Diabetes Detection Screening Program.

We wish to point out that this was screening, and not a diagnostic process. Only the family physician can apply the findings of subsequent tests and apply them to the individual. All screening reports have been sent to the physicians named and to the Legislators involved.

Of the 265 Legislators examined, 84 have been referred to their private physician for further study. At first glance it is startling to note that 31% of the examinees were in the referral range as suspected diabetics. A closer scrutiny of the facts, however, reveals that this figure should not be considered remarkable.

First and foremost is consideration that some of the screenees are known to their physicians as diabetics. Second, but of major importance, is the anticipated high yield of suspects due to age.

Our congratulations to the New Hampshire State Senate with its 100% participation for setting a fine example of interest in the welfare of the citizenry of New Hampshire.

Sincerely,

Mendon MacDonald, Chairman
Edward Jensen, Executive Secretary
Diabetes Detection Program
Advisory Committee

EJ:fjb

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Foley, the Senate voted to reconsider its vote whereby it ordered the following entitled bill to a third reading:

HB 332, relative to charter of City of Portsmouth.

Senator Hunter: "Mr. President, I would just like to say that we believe we have found something that may be an error in the amending of the above entitled bill and we would like to give it further consideration."

On motion of Senator Foley, further consideration of the above entitled bill was made a Special Order of Business for tomorrow at 11:01.

Announcement by the Chair

"The Chair would state at the present time that he will appoint a Committee of the Senate to attend funeral service of the late Senator Paquette: Chairman, Senator Martel, and members Buchanan, Bergeron, Howard, Provost and Waterhouse. The service will be at 9:15 a.m. tomorrow morning at Nashua. As many Senators as can possibly attend, of course we hope will attend."

Resolution

Senator Martel offered the following Resolution:

Resolved that the names of any legal and other technical assistants who are hired under the resolution adopted by the Senate on April 28, 1965 be listed in the Journal immediately upon their hiring and their salaries also be listed in the Journal.

Senator Martel: "Mr. President, I would urge my colleagues to adopt this Resolution. There is nothing to prevent putting down the names of those who are hired between now and the adjournment date. I would also take this advantage to correct an impression which might be taken by some people that the gentleman from across the street from a prominent law firm knew ahead of time of any plan by any group to sabotage SB 56. The gentleman in question approached me this morning and told me that as far as he is personally concerned, he is im-

partial on the situation. He was asked to prepare a bill that would meet the desires of the leadership in this body. I have said to this gentleman, Mr. President, that I have nothing but high respect for him as well as his family with whom I have had numerous relations over the years and that I have no objection that he had been hired. But by this Resolution, I do believe that we have the right to know who is hired, and the salary to be paid to them."

Senator Lamontagne inquired: "Do you mean to tell me that someone has been hired to draft a bill? Is that what you said?"

Senator Martel: "I have said that the Resolution which was adopted on April 28th for the purpose of hiring additional technical assistance to draft legislation or to help in bringing in amendments to bills that are now presently before us for study and also to complete, if there should be some not yet completed in the Senate Counsel's office or the Legislative Services office. There is nothing wrong with that. But yesterday I was very displeased. I believe that the leadership here planned to sabotage this bill before the public hearing was conducted. We held a public hearing on the 27th. The gentleman who was hired was there on the 27th and the Resolution was adopted the following morning."

Senator Lamontagne: "I support this Resolution."

Senator Blaisdell inquired: "Is it not my understanding that when someone is hired, the Minority leader is consulted?"

Senator Martel: "That was the impression I had, but whether we are consulted or not, any hiring to be done under this Resolution is under the approval of the entire body."

Senator Johnson presiding.

Senator Blaisdell: "It was also my understanding that you as Minority Leader should have been consulted."

Senator Martel: "I was consulted the other morning before the Resolution was read. As I said in my remarks yesterday to Senator Johnson — he assured me and I accepted it. But after our debate last Thursday on SB 56, it came to my mind that SB 56 was headed for the ash can before the Resolution was adopted. That was my feeling."

Senator Blaisdell: "Were you told the name of this legal assistant that was to be hired?"

Senator Martel: "No. There was no need. The name of the individual was mentioned yesterday when I made my request of Senator Johnson. The only thing, in my mind, it would seem that any legislation that was introduced that does not meet the approval of the leadership will be thrown into the ash can. Then new legislation that they can take credit for. They may tell me that is not so, but unless I can be made to believe otherwise, I am going to believe it."

Senator Lamprey: "I had not been told that this Resolution was going to be introduced this morning. I did not have the opportunity to even see it before it was read before this body this morning. Had we had a conversation or asked from the floor, or any action that might have resulted, we readily would have agreed to. I resent that it has to be brought in this form — as propaganda — I think we have a propaganda play. I resent that it was brought in in this manner. I would say that the only person that we have discussed for any particular bill, the hiring of special counsel, has been on this particular item, and the Senate will be informed of any future people that might be contemplated to be placed on the payroll. This Resolution is entirely unnecessary."

The Chair declared a five minute Recess.

(Recess)

The Senate re-assembled.

Senator Lamprey presiding.

Senator Johnson: "I would like at this time to be on record in favor of this Resolution. I do think we should have had an opportunity this morning prior to this time. To go back to the previous Resolution that was passed by the Senate, which concerned the question of staff. As I said yesterday, and as I pointed out to Senator Martel, the Assistant Clerk was sick and because of this, Mr. Marx would have to serve in a dual capacity as Senate Counsel. I told him that we would have a great deal of work coming in. I made very careful mention to him about the DRED bill that was 127 pages long. Subsequent to that, I asked Mr. Gilbert Upton to come to the hearing on DRED. I asked him to come because I felt that his presence to

hear the testimony would be of some value. He did so. At a meeting of the Executive Depts. and Finance Committees, all those Senators present voted unanimously to kill SB 56 and to then start from scratch because, as Senator Buchanan pointed out, it would be a monstrosity to try and take a bill which we felt had very little merit and try to use that as the vehicle for some changes to the DRED bill. Now Mr. Upton has prepared a first draft, as I pointed out to him. There may be other drafts. Yesterday, Senator Martel could have found out the name of the Counsel by simply asking me, but he chose to do it on the floor. It seems to me that the Governor of New Hampshire has a large staff. He has at least three lawyers who are working for him and they are working on the Governor's bills. The Senate cannot function with only a part time Counsel. We must have a complete staff. Any implication that there is any impropriety in having people to draft is quite unfair. Senator Martel is concerned about the fact that we chose to introduce a new bill which is of course, his privilege. We felt that the proposal for a new bill was the way that it should be done. I cannot understand this concept that we have to ask questions in private and answers given on the floor. I cannot understand the Resolution being offered without any contact whatsoever. I think we ought to go along with this Resolution. It is perfectly true that the information asked would have been given to anybody. The same question came up, I believe, in January in the staffing of the Senate itself. It was stated at that time that if anybody wanted to know who was hired and the salary, if they asked, they would be answered. The question of assistance is very unfair, but I urge you to go along with this Resolution."

Senator Martel: "I heard before we reconvened, a very serious remark that both you and Senator Johnson deeply resented the way that I offered this Resolution without prior discussion. How do you think I have felt since we opened this session in January and I have been given very little consultation. These two Senators who have acted as though as Minority Leader, I have no business here. Last session I worked with the President and with the Senator from the 5th District, Senator Monahan. There was none of this — they asked me what do you think about things — I worked well with them. I repeat once again, it is too bad that politics have developed over these two departments — Mental Health and DRED. It is politics, they tell me. I say once again, and I may be naive, but once the

election is over, I would like to see politics go out the door over there. We must work together. This morning, I told Senator Johnson I appreciated his speaking to me about it before coming to the floor. Also, there have been many Resolutions read by the Clerk that I have never heard of before they were offered. I say once again, let's work together."

(Discussion ensued)

On a *viva voce* vote, the Resolution was adopted.

Introduction of Guests

As the guest of Senator Foley, the County Auditor of Rockingham County, John Lockwood of Portsmouth.

Senator Hunter stated his appreciation of copy of status of bills and joint resolutions laid out so that information is readily available as to the whereabouts of each and every bill; and asked that commendation be made in the Journal for same.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills & Joint Resolutions

SB 72, relative to the transfer of attorneys between departments.

SB 90, raising the maximum amount of group life insurance allowed to be written for two or more employers in the same industry or two or more labor unions.

SJR 9, in favor of Richard J. Houle.

HB 652, providing for an additional appropriation for expenses of the Legislature.

HJR 5, in favor of Kaston R. Zablockas.

On motion of Senator Howard, the Senate refused to reconsider its vote whereby it passed HB 652, above.

On motion of Senator English, the Senate adjourned at 1:40 p.m.

THURSDAY, May 13, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Saggiotes, students of Contemporary Problems class of Towle High School at Newport and their teacher, Mr. Sherburne: Mary Campbell, Anna Caron, Cheryl Demetrakopoulos, Gail Emerson, Rebecca Gobin, Robert Hasevlat, Mary Howley, Rachel Huot, Donald Jackson, Arnold Karango, Kathleen Lewko, Kathleen McCarthy, Paul Merrigan, Andrea Miller, James Parker, Eric Pierce, Bryan Sargeant, Linda Snyder, Michael Tenney, Robert Winter, David Young, Sandra Zullo, Ann Coggeshall, Betty Cote.

As the guests of Senators Rinden and Bergeron, Mr. and Mrs. Ralph Harkinson of Rochester.

As the guest of Senator Bergeron, his wife Catharine.

As the guests of Senator English, a group of Civil Air Cadets from Nathaniel Hawthorne College in Antrim, led by Major Gibson of Hancock.

Tributes to Senator Louis W. Paquette

The Chair recognized Senator Martel: "Mr. President and Colleagues, it is with deep regret that I stand this morning to pay homage to one of our departed colleagues.

"Today we have laid to rest one of our beloved colleagues, Senator Louis W. Paquette of Nashua, representing the 13th District.

"Senator Paquette was just completing a quarter of a century in the service of his State and his fellowmen.

"Senator Paquette was first elected to represent Ward 6 of Nashua in 1941 and served five terms in the House of Representatives. In 1951, he was elected by his constituents to represent them in the 13th District and has served with distinction ever since.

"Senator Paquette was kind, affable, unassuming and always ready to assist his colleagues in any worthwhile under-

taking. He was a quiet man but always striving to seek information on pending legislation in order that he would always be able to vote intelligently. I remember after he had been elected to the Senate, how often he used to come and sit down with us in the House to listen to the numerous debates on legislation that he might become more enlightened and educated on the merit of legislation which would eventually hit the floor of the Senate. He was a faithful member of his Party. A strong adherent of its doctrines and policies. Senator Louis Paquette has left us; but for a better life. He was a conscientious legislator. We shall miss him very much, Mr. President. However, let us look forward to the day when the Supreme Lawgiver, the Supreme Legislator, will call us to Him when we shall again see our esteemed colleague.

"May his immortal soul and the souls of all those who have been members of this Legislature rest in peace through Jesus Christ, Our Lord, Amen."

The Chair recognized Senator Johnson: "In the short time that I had the privilege of knowing and working with Senator Paquette, there are two things which I shall always remember about him. The first is that he was a fine gentleman in the true meaning of the word — that is, he was a gentle man. Secondly, he had a joy of living. He enjoyed his service in the Senate. He enjoyed his colleagues. He enjoyed the service that he was performing for his community.

"Senator Paquette will be missed by all of us, who respect a man of integrity."

The Chair recognized Senator Lamontagne: "I too will be missing Senator Paquette. I have served with him since 1955 and he was always a man who was willing to work not only for his people, but for the people in other sections of this State. I would bring to the attention of the Senate that Mrs. Paquette who has been in the hospital also, will be leaving the hospital shortly to go back home, I was so advised last evening by the daughter."

Senator English: "As another one of those who have served with Senator Paquette many years, I would concur with all that has been said and only add just one thing. He had a very fine sense of humor and his remarks offered added enjoyment and pleasure to those who served with him."

Senator Foley: "Senator Paquette was not an old time friend in terms of years, but in the span of four months, our friendship was short but truly very sweet. I enjoyed him and I hope he enjoyed me. God Bless Him."

Senator Riley: "During my short acquaintance with Senator Louis Paquette, our relationship became a very close one. This was more than the ordinary relationship between two Senators. With his many years' experience, his advice to me as a junior Senator was of immense help. The passing of the Senator to my right was a loss to me, but my loss is small compared to the loss sustained by New Hampshire of this man who dedicated 26 years of his life to the service of New Hampshire. May his soul rest in peace."

Senator Blaisdell: "I feel much richer today having had the opportunity to shake Louis Paquette's hand in serving in this Senate. May he rest in peace."

Senator Buchanan: "As the surviving member of the Nashua Delegation, I rise to add my poor words of praise to this kindly gentleman who has left our midst. Coming from his area, representing with him the city of Nashua, I well know of the high regard in which he was held in that community. During my campaign last year, I found that he was respected and beloved by all, regardless of color, race or creed. It was a delight to sit beside him in the Senate and enjoy his pithy wit. We will all miss him and sympathize with his fine family."

Senator Mitchell: "I have not served as long in the Senate with Senator Paquette as have many others, but I have known him for many years and have always considered him a man of integrity and one who stood behind his word. It was a pleasure to know him."

Senator Gardner: "My first year in the Legislature, I sat beside Louis Paquette and he was a great help to me. He was outstanding in his duties. We always exchanged notes and Christmas cards. I have never known him to break his word. I certainly shall miss him."

Senator Martin: "It was my good fortune to have served with Senator Paquette also in 1959. He was one whom I could rely on at all times. I shall certainly miss him and I trust that we will all think of him many times."

House Message — First & Second Reading of Bills

HB 400, relative to the salary of the sheriff of Sullivan County. Referred to Judiciary.

HB 299, to remove employees working under the federal minimum wage law from the provisions of the minimum hourly rate, and to remove children working for their parents, and spouses working for each other, from the provision of the minimum wage law. Referred to Labor.

HB 543, legalizing the annual town meeting held in the town of Rollinsford on March 9, 1965. Referred to Executive Depts., Municipal & County Government.

HB 545, to legalize the special town meeting of June 5, 1962, and the annual town meetings on March 10, 1964, March 9, 1965, in the town of Brentwood. Referred to Executive Depts., Municipal & County Government.

HB 546, legalizing the annual town meeting held in the town of Tilton on March 9, 1965. Referred to Executive Depts., Municipal & County Government.

HB 547, legalizing the annual town meeting held in the town of Sandwich on March 9, 1965, and the special town meeting held in the town of Piermont on May 7, 1965. Referred to Executive Depts., Municipal & County Government.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 325, relative to early land acquisition by housing authorities.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 291, relating to fees in the superior court.

HB 316, to change the law regulating meetings of credit unions.

Introduction, First & Second Reading of Senate Bills

SB 105, raising the minimum age for the holding of a license to operate a motor vehicle to eighteen and providing for

exceptions thereto. (Riley) Referred to Public Works & Transportation.

SB 106, providing for a referendum relative to the Coos County court house. (Lamontagne) Referred to Executive Depts., Municipal & County Government.

Special Order of Business for 11:01

Senator Hunter called for the Special Order of Business.

HB 332, relative to charter of City of Portsmouth. Question being: Shall the bill be ordered to a third reading.

Senator Hunter: "Mr. President, in asking for this Special Order of Business, there was some question as to whether or not the amendment had been put into the Senate copy from which we worked. But through our Senate attorney, we were informed that it is properly put in and so now we will endeavor to follow through on the bill."

The bill was ordered to a third reading.

Committee Reports

Senator Martin, for the Committee on Engrossed Bills: HB 441, authorizing the department of education to participate in federal program for Civil Defense Adult Education. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Civil Defense Adult Education. Amend RSA by inserting after chapter 107 the following new chapter:

Chapter 107-A

Civil Defense Adult Education Program

107-A:1 Department of Education. The state department of education is hereby authorized to participate in the Civil Defense Adult Education Program created with the authority of the United States Department of Defense and the United States Office of Education.

Further amend said bill by renumbering sections 2 and 3 to read sections 107-A:2 and 107-A:3 respectively.

Further amend said bill by renumbering section 4 to read section 2.

The Senate voted to concur in adoption of amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: SB 60, relative to the board of trustees of the University of New Hampshire. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first line and inserting in place thereof the following:

1 Board Increased. Amend RSA 187:5 as amended by 1963, 303:3 by

The Senate voted to concur in adoption of the amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 183, to provide assistance for families and businesses displaced by highway construction or reconstruction projects. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend paragraph (b) of RSA 233:28 as inserted by section 1 of the bill by striking out the first three lines thereof and inserting in place thereof the following:

(b) The commissioner of public works and highways shall establish the amount of relocations payments, which may not ex-

The Senate voted to concur in adoption of the amendment offered by the Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 240, An Act to authorize the issuance of jury venires during session of court.

HB 294, An Act giving members of the National Guard limited authority to arrest persons while in active state service ordered by the governor in case of riot or breach of peace.

HB 652, An Act providing for an additional appropriation for expenses of the legislature.

SB 65, An Act relative to larceny of rented motor vehicles.

HB 291, An Act relating to fees in the superior court.

HB 316, An Act to change the law regulating meetings of credit unions.

HJR 5, Joint Resolution in favor of Kaston R. Zablackas.

HB 217, An Act to reclassify a class V highway in the town of Walpole to a class II highway.

HB 239, An Act to increase the penalty for aggravated assault.

HB 346, An Act to make it unlawful for any person to resist arrest or interfere with a conservation officer in the performance of his duty.

HB 406, An Act legalizing proceedings at the town meeting November 10, 1964, in the town of Ossipee.

HB 408, An Act legalizing proceedings at the town meeting March 9, 1965, in the town of Northfield.

HB 490, An Act legalizing the annual town meeting of 1965 in the town of Gilford.

SB 52, An Act relative to the city manager of the city of Berlin.

Eda C. Martin
For the Committee

The report was accepted.

Concurrent Resolution

Senator English offered the following Concurrent Resolution and requested that same be laid upon the table as similar Concurrent Resolution is being introduced in the House:

Whereas, Our nation is engaged in military action in support of the people of Viet Nam, and

Whereas, This support calls for difficult decisions and actions by the Commander-In-Chief and his military and political advisors, therefore be it

Resolved, By the House of Representatives, the Senate concurring:

That we, the Members of the 1965 General Court of New Hampshire express our approval of such firm and fair action as may be necessary to fulfill our responsibilities in Southeast Asia, and be it further

Resolved, That we express our admiration and gratitude to the members of the Armed Forces and to those other American men and women who are facing dangers on our behalf, and be it further

Resolved, That a copy of these resolutions be forwarded to the President, to the Secretary of State, to the Secretary of Defense and to General William Childs Westmoreland.

(Request granted by the Chair)

Committee Report

On motion of Senator Hunter, the rules were suspended to permit the introduction of a Committee Report not previously advertised in the Journal:

Senator Hunter, for the Committee on Fisheries & Game: Resolution, relative to control of firearms. Ought to pass.

Senator Hunter: "Mr. President, in executive session this morning, the Committee, which was not a full Committee, but the Committee has since conferred with the other members of the Committee, and agreed that this Resolution be passed on and we now request that you consider this. As it was printed in the Journal, I would ask that it not be read again."

Senator Riley: "Mr. President, the Resolution is printed on Page 433 of the Journal. This Resolution is in reference to SB 1592. This bill prohibits the sale of firearms by mail order to anyone but licensed dealers and completely prohibits mail order sales at the retail level. We feel that this is discriminatory.

Many mail order companies have an excellent reputation — such as Sears Roebuck, Montgomery Ward and Abercrombie Fitch Company in New York. Some companies have given a bad name to the shooting industry by sales through the mail. The Dodd Bill goes far beyond what is necessary and discriminates against all mail order sales of firearms. I would like to add one comment from speech of Senator Hubert H. Humphrey, Minnesota (Feb. 1960): ‘Certainly one of the chief guarantees of freedom under any government, no matter how popular and respected, is the right of citizens to keep and bear arms. This is not to say that firearms should not be very carefully used, and that definite safety rules of precaution should not be taught and enforced. But the right of citizens to bear arms is just one more guarantee against arbitrary government, one more safeguard against a tyranny which now appears remote in America, but which historically has proved to be always possible.’ ”

On a *viva voce* vote, the Resolution was adopted.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bill

HB 332, relative to charter of City of Portsmouth.

On motion of Senator Lamontagne, the Senate adjourned at 12:40 p.m. out of respect to our late colleague, Senator Louis W. Paquette, to meet next Tuesday morning at 11 o'clock.

TUESDAY, May 18, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Bergeron, a group of students from Somersworth High School, in the classes of Economics and United States History, and their teachers.

As the guests of Senator Foley, a group of students from the New Castle Elementary School with their supervisors.

As the guests of Senator Tufts, Mrs. Fred Page from Exeter and the wife of the Senator, Jean.

House Message — First & Second Reading of Bills

HB 335, to provide a licensing law for practical nurses. Referred to Public Health, Welfare & State Institutions.

HB 356, relating to refunds on tax abatements. Referred to Ways & Means.

HB 357, increasing the salary of the county commissioners of Coos county. Referred to Executive Depts., Municipal & County Governments.

Introduction, First & Second Reading of Senate Bills & Senate Joint Resolutions

SB 107, relative to compensation of personnel of the University and Keene and Plymouth State Colleges. (Johnson-Rules) Referred to Executive Depts., Municipal & County Government.

SB 108, relative to disposition of seized illegal game. (Lamprey) Referred to Fisheries & Game.

SB 109, relative to firemen's retirement system. (Buchanan) Referred to Executive Depts., Municipal & County Governments.

SB 110, establishing the Bristol District Court. (Johnson-Rules) Referred to Judiciary.

SB 111, providing for certain deductions from retirement for firemen. (Gove-Rules) Referred to Executive Depts., Municipal & County Governments.

SB 112, relative to powers and duties of the aeronautics commission. (Foley-Rules) Referred to Public Works & Transportation.

SB 113, relative to fees deposited with the superior court. (Hunter) Referred to Judiciary.

SB 114, relative to zoning appeals. (Buchanan) Referred to Judiciary.

SJR 10, in favor of the Estate of Louis W. Paquette. (Martel-Rules) Referred Banks, Insurance & Claims.

On motion of Senator English, printing was dispensed with.

SJR 11, in favor of Violet G. Lemon. (Buchanan-Rules) Referred to Executive Depts., Municipal & County Governments.

On motion of Senator Buchanan, printing was dispensed with.

SJR 12, in favor of George W. LaRocque. (Lamontagne) Referred to Banks, Insurance & Claims.

Announcement by the Chair

"The Chair would state at the present time he believes that each member of the Senate has a report from the Senate Committee studying the utilization of the federal grant for mental retardation in accordance with Senate Resolution adopted during proceedings on February 23, 1965. The Chair would state that this being a report he would order the first seven pages of the report printed in the Journal. This means that the supporting material would not be printed in the Journal, but each Senator has a copy of the supporting material. Without objection, the chair will order as above."

Report of the Senate Committee Studying the Utilization of the Federal Grant for Mental Retardation in Accordance with Senate Resolution Adopted During Proceedings on February 23, 1965.

This special committee following a study in depth of the federal planning grant for mental retardation concludes (1) that the State of New Hampshire has forfeited an additional \$10,000 which would have supplemented the original grant of \$30,000 because the informal request was never made official, (see attached letters dated March 26 and April 2, 1965), and (2) that the Governor and Council once having acquired the authority to administer the grant took little interest and showed no positive action in connection with the project, during the period October 16, 1964 through March 2, 1965 when this responsibility was under their immediate jurisdiction.

Background

The Department of Health and Welfare through the Division of Mental Health, in March of 1964 submitted an application with a comprehensive plan to the federal government for a mental retardation study grant. This application represented considerable effort and was the first plan submitted and approved in the New England area. It was circularized by the federal government to the entire country as a model with regard to the type of plan that the states could submit and secure approval of federal funds under the Act of Congress.

The federal government acted favorably on New Hampshire's application on June 29, 1964 and the first quarterly payment in the amount of \$7,500 was remitted to the state in the form of a check which could not be deposited until the grant was approved or accepted by the Governor and Council. On September 25, 1964 Acting Superintendent of the New Hampshire Hospital, G. Donald Niswander, M. D. submitted a request to the Governor and Council with the approval of the Commissioner of Health and Welfare to accept these funds, but the matter appears to have been deferred for action in meeting on October 2, 1964 inasmuch as the Governor and Council on such occasion held their meetings at the University of New Hampshire. However, our Committee's analysis of the proceedings of this meeting would appear to sustain a report that Councilman John P. Bowler requested additional time to consider this matter and therefore the item was deferred until the next regular meeting on October 16, 1964.

The Governor and Council in meeting on October 16, 1964 took the following action:

"The Governor and Council voted to accept the mental retardation grant and program and designated the Governor and Council the responsible state agency pending the appointment of a Director of Mental Health, subject to the Attorney General as to legality of this procedure."

The Department of Health and Welfare in the interval between the approval of the grant and the submittal of Governor and Council was establishing a state-wide committee and conducting meetings with this group for the purpose of electing an executive committee in accordance with the provision of the plan. The nominations to this committee were likewise

submitted to Governor and Council for official designation on September 24, 1964 (see attached letter), but apparently removed from the agenda by Comptroller Leonard Hill with no apparent consultation with the Chief Executive. It appears from available records that the Comptroller was of the opinion that such appointments by Governor and Council could result in personality conflicts and also subject the nominees to political discussion. (See Attachment No. 1) Subsequently the Governor appointed his own committee apparently without the confirmation of the Council (no record in Governor and Council minutes) (see attached list). The procedure for having the Governor and Council designate the members of the Executive Committee was to guarantee expenses in connection with their responsibilities. The Governor and Council, in their minutes, justify assuming responsibility for administering the mental retardation grant because of a vacancy in the post of Director of Mental Health. The Director of Mental Health in office at the time the plan was submitted and approved by the federal government apparently did not leave his post voluntarily but terminated under duress. Further, it appears the Office of the Attorney General while undertaking some clarification of the authority of Governor and Council to administer the grant, never obtained an official ruling by the federal agency. The Deputy Attorney General who was assuming responsibility for clearing the legality of the Governor and Council's authority to administer the mental retardation grant had consultation with the regional office of Health, Education and Welfare and upon their recommendation was supposed to submit additional information for an official decision by the federal government. (see attached letter dated November 24, 1964). The Deputy Attorney General never pursued the matter of obtaining a ruling from the federal agency.

Your Senate Committee has ascertained that there would be no objection on the part of the federal government to the Governor and Council administering these funds if the Attorney General ruled that the Governor and Council under existing New Hampshire statute had authority to do so. (see attached letter dated April 2, 1965). If the Deputy Attorney General had complied with the advice of the federal regional office of the Department of Health, Education and Welfare and submitted such additional information, the Governor and Council would have been authorized to administer the grant though the

Governor and Council had approved in two different meetings on May 15 and May 29, 1964 the New Hampshire Department of Health and Welfare as a responsible agency to receive and administer grants in accordance with the provisions of Public Law 88-156 and 88-164. For the guidance of our colleagues in the Senate, your committee is including as an addendum to this report a self-explanatory ruling from the Attorney General's office which led to the Governor and Council official designation of the New Hampshire Department of Health and Welfare as the official agency to receive and administer grants under the provisions of Public Law 88-156 and 88-164.

On February 23, 1965, the Governor's Administrative Assistant, Thomas Power, summoned Mr. Robert Herlihy, Supervisor of Business Management in the Department of Health and Welfare, instructing him to have the Commissioner submit a request to Governor and Council to remove the mental retardation study project from that body and return it to the Department. The business administrator was further informed that if the Commissioner refused to comply with this request the Governor would cause an investigation to be undertaken of the Division of Welfare by Secretary Anthony J. Celebrezze of the Department of Health, Education, and Welfare. It was the Commissioner's position that he had already submitted a request to Governor and Council on September 25, 1964 and the Executive Department could act upon this proposal if they so desired. The records of the Governor and Council meeting for March 2, 1965 contains the following action:

"The Governor and Council voted to rescind their action of October 16, 1964 whereby they accepted a \$30,000 Mental Retardation Planning grant from the federal government designating the Governor and Council as the state agency to administer the same and voted to accept the \$30,000 grant designating the Department of Health and Welfare as the responsible state agency and directing the Department of Health and Welfare to proceed to carry out the objectives of the planning study forthwith. Governor and Council further authorized the Comptroller to establish controls for this grant. The Department of Health and Welfare refused to introduce this resolution two weeks ago."

Since the grant has been returned to the Department of Health and Welfare a project director has been engaged, other

staff is in the process of appointment and the study to be completed December 31, 1965 is again underway.

Conclusion

(1) The State of New Hampshire has lost an additional \$10,000 as a result of the intervention of the Governor and Council in the mental retardation study project. (see attached letters dated March 26 and April 2, 1965.)

(2) The Deputy Attorney General did not properly clarify with the federal government for Governor and Council, their legal authority to administer this grant and according to information from the federal Department of Health, Education, and Welfare there is no prohibition against the Governor and Council acting as the responsible state agency.

(3) The Governor was extremely short-sighted in disregarding the nominees for the Executive Committee as submitted by the state-wide committee and selecting his own membership on the Executive Committee.

(4) It is further evident that the Governor and previous Council by virtue of the manner in which they handled the mental retardation grant, not only did nothing themselves, but also handicapped a diligent state agency in the discharge of its responsibility through a delay in getting the project underway.

Recommendations

It appears from an exhaustive study of this matter by your committee that the action of Governor and Council on March 2 transferring this matter back to the Department of Health and Welfare where it properly belonged was the result of the Senate Resolution adopted on February 23 to determine why the study project was not underway. It is our recommendation that state agencies be allowed to proceed to carry out their statutory functions granted by the General Court without interference. This committee strongly favors a recommendation that state agencies having statutory authority to cooperate with the federal government in the receipt of additional federal monies have the further authority to implement these projects without Governor and Council confirmation when additional state matching funds are not necessary to achieve these mutually cooperative efforts.

Your Committee further recommends that upon receipt of additional federal grants in accordance with existing statutes under which established state agencies are cooperating with the federal government, that the Comptroller immediately establish necessary accounts so that monies can be deposited immediately and disbursed in accordance with agreed upon arrangements by the federal government. Again, this recommendation relates to those situations where no additional state matching funds are required.

Federal grants are provided for specific purposes. This one on mental retardation was made available solely for research purposes, to analyze the requirements of the respective states; determine their problems; and reveal financial handicaps, if any, to the federal agency through a report at the conclusion of the proposed study. It would seem to this committee that the Governor should await the findings of the state study committee and then exercise his judgement with respect to proposed recommendations prior to their submittal to the federal agency.

Senator Edith B. Gardner, Chairman
Senator Nelson E. Howard
Senator Lucien E. Bergeron

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 256, relating to the invoice of taxable property. Ought to pass.

Senator Mitchell offered the following amendment:

Amend the bill by striking out in line 4 the word "shall" and inserting in place thereof the word, may, so that said section as amended shall read as follows:

1 Listing Property. Amend RSA 75:4 by striking out the section and inserting in its place the following:

75:4 Invoices. The selectmen may set down in their invoice, in separate columns, the following: the value of improved and unimproved land; the value of buildings; the value of growing wood and timber separately from the land; the value of mills, factories and their machinery, wharves, ferries, toll bridges, locks and canals and aqueducts; the value of stock in trade; the value of vehicles, of house trailers and of mobile

homes; the number and value of cows, oxen and other neat stock and poultry and all other classes of taxable property.

Senator Mitchell spoke in support: "Mr. President, as you probably all know, a good many of the small towns' Selectmen draw a rather meager salary and they certainly do not have a secretary or clerk to do the work for them. I have no objection for any town who wishes to do this, to do it, but I do object to their being obliged to do it. This does not mean that they may do it, but now that they be obliged to do it. It just means extra work for the Selectmen."

Senator Buchanan: "Mr. President, I rise in opposition to the motion. There is no purpose to the bill whatsoever if this amendment is adopted. The towns and cities may do this at present. The bill was introduced at the request of the Tax Commission and the Tax Commission feels that this is only a just and proper duty of the Selectmen. With all due respect to the Selectmen of the State, no one makes them run for the office and whether they are overpaid or underpaid is beside the point — I don't think any of us here are overpaid either. According to the Tax Commission, this will make extra work for the Selectmen only the first year. Thereafter, it simply goes on to a year to year basis."

Senator English: "Mr. President, I support the amendment. I do so because I have had a clear indication that those I represent do not want to have the Selectmen directed to separate the evaluation of land and buildings.

"There are several reasons for their opposition. The first of which is that it would entail a very great deal of additional work and while it might be true that once the system was set up, it would cause little difficulty, the fact remains that evaluating land for taxation purposes can be even more difficult than evaluating buidings.

"A man who has made a great many evaluations of both land and buildings has made it perfectly clear to me that special skills are entailed where land is to be evaluated. I won't go into details of this, but merely to point out that this is in the thinking of the Selectmen in the great majority of the towns I represent. In fact, the only town which would tend to favor this legislation is Sharon and Sharon does so because it is already carrying on this procedure.

"I reiterate that it may indeed be desirable to separate the evaluation of land and buildings, but that full and complete consideration should be given before this is done."

Senator Buchanan: "Mr. President, I am not going to speak as to the merit of this bill. I would move that further consideration of the bill be made a Special Order of Business for next Tuesday at 11:01 o'clock."

Senator English: "Mr. President, I am not necessarily speaking against the motion, but I would offer an explanation. There was no opposition at the House hearing and only minor opposition at the Senate hearing due to the fact that this bill was not known to exist. Several of the Selectmen of Peterborough were talking with the Tax Commission discussing the general matter of assessment. The matter never came up. I believe the Municipal Association magazine has made no mention and as far as I know, the press has made no mention of it. This bill has a very innocuous title."

Senator Foley inquired: "Why then did not the Representatives read the bill before the hearing and tell these Selectmen? I thought that was what we were elected for."

Senator English replied: "I hope I will not have to ask you the same question."

Senator Foley: "I would not know how to answer it."

Senator Waterhouse: "Mr. President, I am in favor of the present motion. I believe that because of the increased value of land along Route 93 that this move has been suggested by some of the Selectmen. I know that in my area, town property has gone sky high and I know that there are a lot of people who would like to see the land value separated from the buildings. Perhaps it does not hit the rest of the State in the same way."

Senator Buchanan: "Mr. President, this is not so much directed at my motion, but I would like to comment and have it entered in the Journal — that this should be published in the press. I had a call over the weekend from a Selectman in my District, opposing this bill. I told him that it had already been heard in both Houses, passed by the House and coming on the floor of the Senate as ought to pass. It occurred to me that for a minimum amount of money the Selectmen in each town can subscribe to the Legislative Service and receive both Journals,

bills, joint resolutions, etc. To expect a Representative or a Senator to familiarize himself with all bills is asking too much of anyone. If the town subscribed to the Legislative Service, somebody can review them. If something should appear to be of concern to town interest, school boards, etc. they can be properly advised. I think it is asking too much of any of us to be familiar with some 1,000 bills in this session and every session."

On a *viva voce* vote, the motion for Special Order for next Tuesday at 11:01 carried.

Introduction of Guests

The Chair welcomed the Republican ladies from Cheshire and Sullivan Counties who are visiting the State House today as part of the 'Legislative Day' program being sponsored by the Women's Division of the Republican Party.

Senator Blaisdell, under personal privilege: "Mr. President, I would like to introduce a family that means quite a bit to me, Mrs. Helen Mulvaney of Keene. I would like to say that whatever success I have had in my short life, I owe in part to her late husband, Arthur Mulvaney. He was my coach in high school for three years, in all the sports. He showed us how to win and also how to lose with no excuse."

As the guests of Senator Saggiotes, the Republican Women from Sullivan County.

As the guests of Senator Martel, two officers of the local Union of the United Brotherhood of Carpenters & Joiners of America, Mr. Leon Whitten of Laconia and Josaphat Lavallée of Manchester.

Senator Riley: "Mr. President, under personal privilege. I wish to mention about an article in one of the State papers. They mentioned that I was a Republican and I would like to make this correction. Not that it makes much difference — once I come in here, I leave politics outside."

Committee Reports (continued)

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 115, increasing the per diem rate of members of the board of chiropractic examiners. Ought to pass.

Senator Buchanan: "Mr. President, the title of the bill explains it with the exception of updating the per diem of the chiropractic board from \$10 to \$20. There has been no increase since 1957 and the license fees support the board. No opposition in the committee."

This bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 165, relative to the establishment of contingency funds for units of municipal government. Ought to pass.

Senator Buchanan: "Mr. President, This bill was introduced at the request of the Tax Commission. There is a problem of approving the tax rates because the units of local government vote contingency funds. At the present time, the Dept. of Education recommends a contingency fund be established. There is no provision in the law whereby they are permitted to do this, but it has gone on for some time. It is felt the Legislature should decide whether contingency funds can be established. There are circumstances which arise between town meetings, school meetings and village district meetings whereby additional expenditures are necessary. This would provide, if the voters at any of these meetings decide a contingency fund should be provided, it can be done to the extent of 1% of the total appropriation voted at the meeting. The bill requires an itemized account of these special expenditures be included in the town report. The Municipal Assn. supports the bill and there was no opposition at the House hearing."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 189, to provide for cumulative pocket supplements for Revised Statutes Annotated. Ought to pass.

Senator Foley: "Mr. President, this bill was introduced by Representative Totman at the request of the Secretary of State's office. It gives the Secretary of State the authority to provide that this printing be done. There was no opposition."

The bill was referred to the Committee on Finance, under the rules.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 271, to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars. Ought to pass.

Senator Buchanan: "Mr. President, the title of the bill explains it about as thoroughly as I can.

"It has been requested that the amount be increased from \$200 to \$500. There was no opposition in either body."

The bill was ordered to a third reading.

Senator Martel requested to be recorded as voting against the above entitled bill.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 363, relating to the time within which the invoice-assessment record shall be prepared. Ought to pass.

Senator Buchanan: "Mr. President, this bill is intended to clarify the time within which the assessment record shall be prepared by the town clerk or board of selectmen. It will set a date by which the official record will be in the hands of the town or city and available to the public for examination. This bill was introduced at the request of the Tax Commission."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 462, legalizing proceedings at the town meetings March 9, 1965 in the town of Chesterfield. Ought to pass.

Senator Buchanan: "Mr. President, this is another routine housekeeping bill which legalizes procedure at the town meeting held in Chesterfield this year. At that time, the town meeting voted to purchase a front end loader by voice vote. The bank felt there should have been a show of hands and an actual count. This would legalize the meeting and expedite matters in obtaining the short term notes for this item."

The bill was ordered to a third reading.

Introduction of Guests

As the guests of Senator Martel, pupils of the 7th and 8th grades of the Youngsville School of Manchester.

Committee Reports (continued)

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 489, legalizing proceedings at the town meetings March 10, 1964 and March 9, 1965 in the town of Bow. Ought to pass.

Senator Foley: "Mr. President, this is simply a housekeeping bill. The town neglected to file or put out their warrant one day late. There is no money involved and there was no opposition in either body."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 510, to legalize the proceedings of the annual Plymouth village fire precinct meeting held at Plymouth, March 11, 1965. Ought to pass.

Senator Foley: "Mr. President, this is the same type of bill. One day late in filing their notice. No opposition."

The bill was ordered to a third reading.

Senator English, for the Committee on Education: HB 141, relating to disqualification of a school board member for conflict of interest. Ought to pass.

Senator English: "Mr. President, this bill simply adds the custodian as a person who shall not be a member of the school board. There was no opposition. This bill was amended in the House, page 1317." The bill was ordered to a third reading.

Senator Buchanan, for the Nashua Delegation: HB 375, to authorize the nomination of trustees of the Nashua Public Library by joint ballot of the trustees and aldermen. Ought to pass.

Senator Buchanan: "Mr. President, this bill, the title of which is self-explanatory, had no opposition. It is extremely routine and as a matter of interest to this body, this was the last bill in which the late Senator from the 13th District, Senator Paquette, had a personal interest."

The bill was ordered for a third reading.

Senator Martin, for the Committee on Engrossed Bills: HB 332, relative to charter of city of Portsmouth. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1 Election of Mayor and Assistant Mayor of Portsmouth. Amend Laws of 1947, 398:13, as amended by 1963, 430:1, by adding.

The Senate voted to concur in adoption of amendment offered by the Committee on Engrossed Bills.

On motion of Senator Rinden, the Senate voted to suspend the rules to permit the introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Rinden, for the Committee on Judiciary: HB 277, relative to contracts between municipalities and New Hampshire water resources board. Ought to pass.

Senator Rinden: "Mr. President, Senator English, as a member of the Judiciary Committee, has done a lot of research on this bill. Therefore, I would yield to him."

Senator English: "Mr. President, this bill authorizes a town to enter into a contract with the water resources board to build a water facility. When it does so and when the water resources board approves, money may be borrowed by the water resources board at a favorable rate. The water facility would be self-liquidating, namely, subscribers to the water would pay at a rate sufficient to guarantee interest payments and amortization. The bill also makes clear that this does not affect the borrowing power of the town because of the self-liquidating nature of this arrangement."

The bill was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: HB 543, legalizing the annual town meeting held in the town of Rollinsford on March 9, 1965. Ought to pass.

Senator Buchanan: "Mr. President, this is another house-keeping or routine type of bill. It means that the town of Rollinsford at its annual town meeting this year had adopted the municipal budget law under terms of section 5 which requires notice to be printed in a newspaper of general circulation or in the town report. The town report was received late from the printers. There was no opposition to this bill at all. All concerned urged its passage."

The bill was ordered to a third reading.

House Message

The House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Whereas, Our nation is engaged in military action in support of the people of Viet Nam, and

Whereas, This support calls for difficult decisions and actions by the Commander-In-Chief and his military and political advisors, therefore be it

Resolved, by the House of Representatives, the Senate concurring:

That we, the Members of the 1965 General Court of New Hampshire express our approval of such firm and fair action as may be necessary to fulfill our responsibilities in Southeast Asia, and be it further

Resolved, That a copy of these resolutions be forwarded to the President, to the Secretary of State, to the Secretary of Defense and to General William Childs Westmoreland.

On motion of Senator English, reading of the Concurrent Resolution was dispensed with.

On motion of Senator English, the Concurrent Resolution offered by him last Thursday was taken from the table.

Senator English spoke in support: "Mr. President, I was asked to introduce this in the Senate presumably because of my experience abroad. For some 21 years, I represented the United States in foreign countries. For that reason, I am particularly aware of the damage to our prestige and to the conduct of our affairs by various groups in the United States attacking our foreign policy.

"As the Senate knows, there are many groups that have declared that we should get out of Viet Nam. I am not here today to discuss the merit or lack of merit of what we are doing there. The fact remains that our government in its wisdom with all the sources of information available to it has determined upon a course of action. We must support our government, for failure to do so may cost many lives and lead us into more and more serious situations.

"I believe the passage of this Concurrent Resolution will assist our government and will help to let the world know that we, the representatives of the people of New Hampshire, go on record solidly in support of the government's action."

Senator Rinden spoke in support: "Mr. President, like the Senator from the 11th District who has a special interest in this particular matter because of his distinguished service as a diplomat representing the United States, particularly in southeast Asia, also, I am particularly interested, having been born and lived in south China for ten years. I am impressed by President Johnson's stand there. I know that we shall have to face the Communists sooner or later and the question is whether it shall start in Viet Nam, Singapore, Australia, or elsewhere. If we stand up to it now, we will be in a much better position to stop it than if we allow them to become more powerful. There is no question of all-out war at this time. If we stand up under the leadership of President Johnson—and again I say that it is indeed a privilege to be able to stand up and support the President's strong and very good policy. I am pleased that this has been introduced and pleased to support it 100%."

Senator Martel: "Mr. President, I am most happy to associate myself with the Concurrent Resolution. It is high time that we Americans take a positive stand and face the atheist Communists throughout the world. We support any step that is taken by this administration or any Party that takes a stand on this situation."

Senator Buchanan spoke in support: "I would like to join with the other Republicans and Democrats as well in agreeing with the action taken by the Democrat President.

"I think it is disgraceful that so little attention has been paid previously to the progress of Communism. I think, as has been so well stated, this is the time to stop Communism, rather than wait until it has gone further. I would quote a writer for TIME magazine — How many Munichs must we endure before we finally get the message?"

Senator Lamontagne presiding.

Senator Lamprey: "It is a privilege for me to be able to join with all my colleagues here in the Senate, agreeing as did the members in the U.S. Senate, with President Johnson. The sooner we face up to the problem, the better off we are going to be. . . . I would hope that the motion might pass unanimously."

On a *viva voce* vote, the Senate unanimously voted to concur in adoption of the above Concurrent Resolution.

Senator Buchanan offered the following Concurrent Resolution:

Concurrent Resolution opposing the proposed merger and reorganization of the United States Army Reserve and the National Guard.

Whereas, the secretary of defense of the United States has proposed that there be a reorganization of the United States Army Reserve and the National Guard, and

Whereas, such proposed reorganization would result in a depletion of the nation's major pool of trained personnel which could be quickly and efficiently activated in the event of need, and

Whereas, said pool is made up of a great number of men who have given unselfishly of their time and effort relying upon the present organization under which they have worked and are now working, and

Whereas, our fully activated armed forces are at present engaged at a great number of places around the world protecting our way of life, Now therefore be it resolved by the Senate of the

General Court of New Hampshire, the House of Representatives Concurring:

That it hereby records itself as being in opposition to the proposed reorganization particularly at this time when our reserve pool of professional military manpower should not be cut back, and be it further resolved

That a copy of these resolutions be transmitted to each member of the Congress of the United States from New Hampshire and to the secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States.

On motion of Senator Buchanan, the above Concurrent Resolution was made a Special Order of Business for tomorrow at 11:01.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

HB 115, increasing the per diem rate of members of the board of chiropractic examiners.

HB 141, relating to disqualification of a school board member for conflict of interest.

HB 165, relative to the establishment of contingency funds for units of municipal government.

HB 271, to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars.

HB 277, relative to contracts between municipalities and New Hampshire water resources board.

HB 363, relating to the time within which the invoice assessment record shall be prepared.

HB 375, to authorize the nomination of trustees of the Nashua Public Library by joint ballot of the trustees and aldermen.

HB 462, legalizing proceedings at the town meeting March 9, 1965 in the town of Chesterfield.

HB 489, legalizing proceedings at the town meetings March 10, 1964 and March 9, 1965 in the town of Bow.

HB 510, to legalize the proceedings of the annual Plymouth Village fire precinct meeting held at Plymouth, March 11, 1965.

HB 543, legalizing the annual town meeting held in the town of Rollinsford on March 9, 1965.

The Chair announced that Senate and House Joint budget hearing will be held Thursday and Friday of this week.

On motion of Senator Lamprey, the Senate adjourned at 12:47 p.m.

WEDNESDAY, May 19, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guest of the entire Senate, the former Senator from the 6th District, James P. Rogers of Laconia.

As the guest of Senator Lamontagne, Mr. Richard Fortier of Berlin, Director of New Hampshire State Retail Grocers Association.

Announcement by the Chair

"Due to the fact that amendments were not printed in the Journal, HB 130, relating to identification of purchasers of real estate, and HB 497, relating to coercion in placing insurance on real and personal property, have been withdrawn from the Calendar and they will be on the Calendar tomorrow."

House Message — First & Second Reading of Bills

HB 169, to increase the public revenue from the tax on beer and other malt beverages. Referred to Ways & Means.

HB 404, relating to district and municipal courts. Referred to Judiciary.

HB 415, to prohibit obscenity. Referred to Judiciary.

HB 450, relative to insider trading of domestic stock insurance company equity securities. Referred to Banks, Insurance & Claims.

HB 469, relative to minimum wages of persons engaged in construction of municipal public works projects. Referred to Labor.

HB 528, relative to the New Hampshire Soldiers' Home. Referred to Military & Veterans Affairs.

HB 571, authorizing the town of Greenville to contract with the New Hampshire Water Resources Board. Referred to Executive Depts., Municipal & County Government.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 183, to provide assistance for families and businesses displaced by highway construction or reconstruction projects.

HB 441, authorizing the department of education to participate in federal program for Civil Defense Adult Education.

SB 60, relative to the board of trustees of the University of New Hampshire.

The Message also stated that the House has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the House asks the concurrence of the Senate:

HB 325, relative to early land acquisition by housing authorities.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Acquisition and Disposition of Real Property. Amend RSA 205 by inserting after section 4-a as inserted by 1959, 49:1 the following new section:

On motion of Senator Gove, the Senate voted to concur.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill sent down from the Senate:

SB 6, relative to school boards purchasing accident or injury insurance.

Order Vacated

On motion of Senator Green, the rules were suspended, referral to Committee vacated, holding of public hearing dispensed with and the bill taken up at the present time:

HB 528, relative to the New Hampshire Soldiers' Home.

Senator Green: "Mr. President, this bill is relative to the New Hampshire Soldiers' Home. At the present time, there is a Commandant and his wife who manage this institution. This bill is to appoint an Adjutant, preferably a discharged veteran. He would be of great help to the Commandant when he has to leave on vacation or official business. He would be instrumental in running the institution much more efficiently. We report the bill as ought to pass."

(Discussion ensued)

On motion of Senator Howard, further consideration of this bill was made a Special Order of Business for 11:02 next Tuesday morning.

Order Vacated

On motion of Senator Buchanan, the rules were suspended, referral to Committee vacated, holding of public hearing dispensed with and the bill taken up at the present time:

HB 571, authorizing the town of Greenville to contract with the New Hampshire Water Resources Board.

Senator Buchanan stated he would yield to Senator English.

Senator English: "Mr. President, HB 571 is a companion bill to HB 277 which was passed by the Senate yesterday. HB 277 sets a framework for towns to make arrangements with the Water Resources Board to build water facilities. HB 571, which is before us at this moment, permits specifically the town of Greenville to vote at a special meeting to make such an arrange-

ment with the Water Resources Board. They want to have this meeting next week and that is the reason why it is presented under suspension of the rules."

The bill was ordered to a third reading.

Committee Reports

Senator Martin, for the Committee on Judiciary: SB 75, relative to manner of serving terms of imprisonment. Ought to pass.

Senator Johnson: "Mr. President, the purpose of this bill is to get rid of discrimination in the courts in sending people to jail. It has the support of the Chief Justice of the Supreme Court of New Hampshire. The purpose is to allow a person serving in jail an opportunity to work outside during the day-time in order that the funds may be used for his family."

The bill was ordered to a third reading.

Senator Riley requested to be recorded in opposition to the above entitled bill.

Announcement by the Chair

"The Chairman of the Judiciary Committee has asked that SB 84, requiring reporting by physicians and institutions of certain physical abuse of children, and SB 92, relative to costs in actions against sureties, be withdrawn in order that amendments may be prepared."

Committee Reports (continued)

Senator Martin, for the Committee on Judiciary: SB 100, relative to appointment of process agent by foreign corporations. Ought to pass.

Senator Johnson: "Mr. President, the purpose of this bill is to make service upon corporations doing business in this State possible. Under this bill, if a corporation makes a contract in this State and becomes involved in a tort, this provides that the Secretary of State may get service upon the corporation."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SJR 7, in favor of Marguerite Ferry. Inexpedient to legislate.

Senator Martin: "Mr. President, Miss Marguerite Ferry testified before the Judiciary Committee that she was improperly committed to the New Hampshire Hospital in 1941 by her sister, and that in the course of her stay, her health deteriorated and she had many problems, with many tests she was forced to accept. The Committee gave most careful consideration to Miss Ferry's claim for \$30,000 against the State and felt that, due to the lapse of time since 1941, and that her sister was deceased, there was no possibility of properly examining all the various circumstances. The bill is reported Inexpedient to Legislate."

On a *viva voce* vote, the resolution of the Committee, Inexpedient to Legislate, was adopted.

Senator Martin, for the Committee on Judiciary: HB 21, relative to number of election inspectors at biennial election. Ought to pass.

Senator Johnson: "Mr. President, the purpose of this bill is to allow the Selectmen to name persons to help count ballots at the election. During the last election, we had many towns who were counting ballots at 3 o'clock in the morning. This causes errors, etc."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 290, relating to preliminary examinations in criminal cases. Ought to pass.

Senator English: "Mr. President, HB 290 provides that any person charged with a felony shall have a preliminary examination before the District or Municipal Court for the purpose of determining whether evidence exists to sustain arrest and make a finding that probable cause exists to hold the respondent. This bill completely rewrites the chapter on examinations which was done by the Judicial Council and the principal change, according to Rae S. Laraba and concurred in by Attorney Richard Upton, is that under the existing procedure a plea is taken from the respondent. Under this rewritten chapter, no plea is required. This brings New Hampshire procedures in this regard in accord with Rule 5 applied in Federal criminal procedures."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: HB 337, relating to contributing to delinquency of a juvenile. Ought to pass.

On motion of Senator Hunter, further consideration of this bill and committee report was made a Special Order of Business for Thursday (tomorrow at 11:01 o'clock).

Senator Martin, for the Committee on Judiciary: HB 390, relative to petition for marriage license by non-resident under age. Ought to pass.

Senator Martin: "Mr. President, HB 390 seeks to correct a situation with regard to the marriage of minors, both resident and non-resident of the State of New Hampshire. Persons desiring to contract such marriages with the parent or guardian having the custody of such party may apply in writing to a Justice of the Superior Court or to the Judge of Probate of the County for permission to marry."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HJR 18, in favor of Harry L. Hurlbert. Ought to pass.

Senator Buchanan: "Mr. President, this is the fourth session at which this joint resolution has been introduced. Mr. Hurlbert was an employee of the Fish & Game Dept. and while working for them at a Sportsman's Show, was injured to the extent that he was compelled to retire. This is the only way in which he can be compensated for his injury. This will come from the Fish & Game fund. No one from the Fish & Game Dept. appeared at the Senate hearing, but I was advised that they did appear at the House hearing, in favor.

The Joint Resolution was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 147, relating to verification of savings accounts. Ought to pass.

Senator Buchanan: "Mr. President, it is becoming more and more costly to verify savings accounts. This bill would make an exception in notices. One notice would go to substantially all depositors, but if no reply is received, no second notice would be sent on accounts with a balance below \$50."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 224, relating to the powers of banks and other like institutions. Ought to pass.

Senator Buchanan: "Mr. President, in many cases, the title of the bill explains what the bill is all about. This is not the case in this instance. There are five sections to this bill which specifically affect the powers of the banks. The first section eliminates a conflict between New Hampshire law and federal law and enables the banks to keep their records in conformity with the federal law. The second section clarifies the present law with regard to the pledge of a savings account owned by two people. The third section makes provisions for a minor to pledge his savings account in order to secure a loan against the account for a brief period of time. The fourth section enables minors to participate in special notice accounts or investment accounts. The fifth section authorizes an Administrator or Executor of a deceased depositor to withdraw the money in a special notice account."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 232, relative to safe deposit business and building and loan associations. Ought to pass.

Senator Buchanan: "Mr. President, this bill authorizes a cooperative bank or building and loan association to engage in the safe deposit business by installing suitably constructed vaults on its own premises; the installation and operation of these vaults to have the prior approval of the Bank Commissioner. Commissioner King appeared in favor of the bill."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 268, authorizing investment of retirement funds in cooperative banks, building and loan associations, and savings banks. Ought to pass.

Senator Buchanan: "Mr. President, the title is self-explanatory. It applies to four agencies — teachers' retirement fund, firemen's retirement system, State employees' retirement system and the policemen's retirement system. This was supported by

the Board of Trustees of the Teachers Retirement System, Bank Commissioner, New Hampshire Cooperative Savings & Loan League, New Hampshire Bankers Association, New Hampshire Savings & Loan League. There was no opposition."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants. Ought to pass.

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Buchanan, because of the ambiguity of this bill, further consideration of bill and committee report was made a Special order of Business for next Wednesday, May 26th, at 11:01 o'clock.

Introduction of Guests

As the guests of Senator Rinden, a group of 55 students from the 7th and 8th grades of the Loudon Elementary School, and the principal Mr. Dwight E. Moody and 7th grade teacher, Mrs. Dorothy King.

Special Order of Business for 11:01

Senator Buchanan called for the Special Order.

Being consideration of Concurrent Resolution opposing the proposed merger and reorganization of the United States Army Reserve and the National Guard. (offered by Senator Buchanan)

Senator Buchanan spoke in support: "Mr. President, the Concurrent Resolution which I offered yesterday and which was printed in the Journal is not particularly controversial, in my opinion. This Resolution is intended to express the objection of this body to the proposed merger of the organized Reserve of the United States Army with that of the National Guard of the several states. The organized Reserve in this country historically goes back to the days of the Minute Men at Lexington, Concord and Bunker Hill. The proposal on the part of the Sec-

retary of Defense would eliminate the organized Reserve as we have known it this many, many years and would merge the officers individually and the units with the National Guard of the several states. In no sense is there any reflection on the National Guard. The National Guard in each of the states is an excellent military organization, made up of qualified officers and competent men. The National Guard fills a very, very important need to the State and has been very important and useful in times of danger and emergency. However, those of us who are Reserve officers of the United States Army are there by choice. Many of us have preferred to confine our activities to the Reserve. The National Guard has other requirements which many Reserve officers have been unwilling to subscribe to for personal reasons. The Secretary of Defense in a high-handed manner announced this merger last fall, naturally shortly after election and claims that there will be a saving of one hundred fifty million dollars by this merger. Money will not be spent on the Reserve, but will be spent in other parts of the Defense Department and will make no difference in the total of the budget. There are Resolutions of this sort pending before several Legislatures. There has been a Resolution of this nature passed by the Oklahoma State Legislature. There has been a Resolution passed also by the Legislature of Texas and by the Colorado Senate. Other Legislatures in which similar Resolutions have been introduced and are being considered are Wisconsin, Florida and Alabama. Those of us who are active in the Reserve forces of our country feel that this is hardly the time to reduce the armed forces of the United States. American forces are active in two fronts — Viet Nam and also in the Dominican Republic. At this time, the United States has a number of divisions, both at home and abroad. The object of this Resolution is to express our distaste of the high-handed method of the Secretary of Defense in discontinuing the Reserve forces at this time, probably the worst time of any since the conclusion of the Korean War. Military men who have been with military forces in times of emergency and conflict have long stated that the United States and its allies both in World War I and World War II and in the Korean War were saved by the Reserves upon whom they called. This action by the Defense Department, we feel is an ungrateful demonstration toward those Reservists who have given many years of their life in serving with the Reserves. I should add, if we are merged with the National Guard, several hundred thousand Reserves will be obliged to discontinue

their military activities because there is no place for them to go. The State National Guard will be full. They are usually completely filled, whereas our organized Reserves are not. I will not belabor this further. I do urge my colleagues to support this Concurrent Resolution."

Senator Green: "Mr. President, I rise to support the concurrent resolution offered by Senator Buchanan. As you well know, I am a National Guard wife, my husband having been an officer in that organization for nearly 30 years.

"I am familiar with the proposed changes to be made, and I would like to go on record as stating that I oppose them. The National Guard and the Army Reserve both fulfill needed and specialized functions and objectives and I believe, as do many members of both the National Guard and the Army Reserve, that their separate entities should be continued and that they should not be merged one with the other. I believe at the present time, when our country is actively engaged on two fronts around the world, this is no time to weaken in the slightest the reserve strength of these two great components."

Senator Martel inquired: "I was wondering — was there not publicity recently that the Secretary of Defense has withdrawn his demand for this action?"

Senator Buchanan: "The Secretary of Defense has postponed action, but it has not been withdrawn."

On a *viva voce* vote, the Concurrent Resolution was unanimously adopted.

Senator Buchanan: "I wish to thank my colleagues for adopting this Resolution.

On motion of Senator Buchanan, and with the unanimous consent of the Senate, the Senate voted to recommit HB 256, relating to the invoice of taxable property, to the Committee on Executive Depts., Municipal & County Governments.

Communication

May 18, 1965

Members of the Honorable Senate
State House

Ladies and Gentlemen:

You are cordially invited to see the two new displays which are presently on exhibition at the Visitors' Information Center.

Due to repeated inquiries from our New Hampshire school teachers, the State Constitution is on display until June 10. Through the cooperation of our Commissioner of Safety, Robert W. Rhodes, a state trooper is assigned to guard this priceless document for the duration of its exhibition.

In preparation for summer tourist activity, a whimsical diarama showing water sports has been installed.

In addition, display cases containing artifacts of our New Hampshire Indians and a collection of rocks and minerals from various mines throughout the state provide something of interest for each visitor.

Sincerely yours,

(Mrs.) Brenda Perkins

Information Representative

On motion of Senator Martel, the rules of the Senate were so far suspended as to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 75, relative to manner of serving terms of imprisonment.

SB 100, relative to appointment of process agent by foreign corporation.

HB 21, relative to number of election inspectors at biennial election.

HB 147, relating to verification of savings accounts.

HB 224, relating to the powers of banks and other like institutions.

HB 232, relative to safe deposit business and building and loan associations.

HB 268, authorizing investment of retirement funds in cooperative banks, building and loan associations, and savings banks.

HB 290, relating to preliminary examinations in criminal cases.

HB 390, relative to petition for marriage license by non-resident under age.

HB 571, authorizing the town of Greenville to contract with the New Hampshire Water Resources Board.

HJR 18, in favor of Harry L. Hurlbert.

On motion of Senator Green, the Senate adjourned at 12:45 p.m.

THURSDAY, May 20, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senators Blaisdell and English, former State Senator Charles B. Knight of Marlboro, and Selectman Edward Hackler, also of Marlboro.

As the guests of Senator Tufts, a large group of students from Exeter High School, only a portion of whom are present in the honorable Senate, and Miss Boynton, one of the teachers.

House Message — First & Second Reading of Bills & Joint Resolution

HB 107, extending the term of office of supervisors of the checklist. Referred to Executive Depts., Municipal & County Governments.

HB 210, relative to powers of Franconia College to grant degrees. Referred to Education.

HB 314, relating to the report of income by certain county officers. Referred to Executive Depts., Municipal & County Government.

HB 445, relative to the throwing, depositing and dumping of refuse on private land. Referred to Judiciary.

HB 544, legalizing the proceedings of the annual meeting of the Timberlane School District held in the town of Kingston on April 10, 1965. Referred to Education.

HB 581, relative to sewage disposal systems on islands. Referred to Resources, Recreation & Development.

HJR 29, in favor of Seth J. Hayes. Referred to Banks, Insurance & Claims.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate.

SB 37, relating to the time within which actions for injury must be brought against persons who performed or furnished the design, planning, supervision or construction of an improvement on real property.

SB 40, relative to the New Hampshire Unitarian Association.

SB 50, to amend the charter of Women's Aid Home.

SB 51, relating to conveyances and other transfers of buildings on land of another.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 332, relative to charter of city of Portsmouth.

Bill Recalled from the Governor

On motion of Senator Buchanan, the following entitled bill was recalled from the Governor:

HB 271, to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars.

Senator Buchanan: "Mr. President, the eagle eye of our Senate Counsel and the eagle eye of a couple of other Senators caught what appears to be a sleeper in this bill and we would appreciate an opportunity to review it."

On motion of Senator Buchanan, the rules were suspended to reconsider whereby the bill passed and was ordered to a third reading.

On further motion of the same Senator, the bill was committed to the Committee on Executive Depts., Municipal & County Government.

Committee Reports

Senator Martin, for the Committee on Judiciary: HB 130, relating to identification of purchasers of real estate. Ought to pass with amendment.

Amend the bill by inserting after section 6 the following new section 7:

7 Omission or Error. Amend RSA 477 by inserting after section 32 the following new section: 477:32-a Error or Omission of Mailing Address. Any error in or omission of mailing address of grantee or mortgagee in the deed, mortgage or other conveyance, required by any provision of this chapter, shall not affect in any way the validity or effectiveness of such deed, mortgage or other conveyance of real estate.

Further amend the bill by renumbering section 7 to read section 8.

The reading of the amendment was dispensed with — same being printed on Page 815 of Journal of May 19.

Senator Rinden: "Mr. President, to begin with, this bill is designed to inform the Tax Collectors in the various Towns and Cities as to the address of a new owner of real estate that has been transferred, in order that the tax bill may be sent to the new owner. There was considerable apprehension on the part of certain lawyers if this would affect the validity of the deed. In order to provide for failure to meet the putting in of the address, Attorney Richard Upton drafted this amendment, which says the failure to put on the address does not make the deed any less binding. I know it has the support of all the lawyers that I have talked with and the amendment is necessary if the bill is to be passed."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 497, relating to coercion in placing insurance on real and personal property. Ought to pass with amendment.

Amend section 1 of the bill by striking out the words "This provision does not prevent the exercise by any mortgagee of his right to approve the insurer selected by the borrower on a reasonable nondiscriminatory basis related to the solvency of the company and its ability to service the policy" and by inserting in their place the words, This provision does not prevent the exercise by any mortgagee of his right to approve only insurance companies authorized to do business in this state, selected by the borrower on a reasonable non-discriminatory basis, so that the section is amended to read as follows:

1 Unfair Insurance Trade Practices. Amend paragraph (9) of RSA 417:4 by striking out the paragraph and inserting in its place the following: (9) Coercion in Requiring Insurance. (a) No creditor or lender engaged in the business of financing the purchase of real or personal property or of lending money on the security of real or personal property may require, as a condition to such financing or lending, or as a condition to the renewal or extension of any such loan or to the performance of any other act in connection with such financing or lending, that the purchaser or borrower, or his successors, shall negotiate through a particular insurance company or companies, insurance agent or agents, broker or brokers, type of company or types of companies, any policy of insurance or renewal of a policy insuring such property. This provision does not prevent the exercise by any mortgagee of his right to approve only insurance companies authorized to do business in this state, selected by the borrower on a reasonable non-discriminatory basis.

(b) There shall be no interference either directly or indirectly with such borrower's, debtor's, or purchaser's free choice of an agent and of an insurer which complies with the foregoing requirements, and the creditor or lender may not refuse the policy so tendered by the borrower, debtor or purchaser. Upon notice of any refusal of such tendered policy, the insurance commissioner shall order the creditor or lender to accept the tendered policy, if the commissioner determines that the refusal is not in accordance with the foregoing requirements of this subparagraph. Failure to comply with such an order of the insurance commissioner is a violation of this section.

(c) Whenever the instrument requires that the purchaser, mortgagor, or borrower furnish insurance of any kind on real property being conveyed or that is collateral security to a loan, the mortgagee or lender shall refrain from disclosing or using any and all such insurance information to his or its own advantage and to the detriment of either the borrower, purchaser, mortgagor, insurance company, or agency complying with the requirements relating to insurance.

On motion of Senator Blaisdell, the reading of the amendment was dispensed with, same being printed on Page 815 of today's Journal.

Senator Buchanan: "Mr. President, this bill is intended to eliminate the rather assiduous practice of a mortgagee compelling the mortgagor to purchase insurance covering the loan from himself or from some representative of his organization. This is contrary to the best ethics of the insurance companies and this bill will do something toward correcting this situation.

"The amendment is necessary because of the fact that many companies do business in New Hampshire without authority of the Insurance Commissioner of New Hampshire. The amendment in essence permits the mortgagor to require that the insurance company purchase from a company which is admitted to New Hampshire by the Insurance Commissioner of this state. This amendment was worked out to the satisfaction of all parties concerned with the presentation of this bill. The bill actually had no opposition in Committee with the exception of this one suggestion. I would point out that I am going to offer an amendment to the amendment which involves only a grammatical change."

Senator Buchanan offered the following amendment to the amendment:

Amend the amending paragraph of section 1 by striking out the last sentence and inserting in place thereof the following:

This provision does not prevent the exercise by any mortgagee of his right to approve on a reasonable non-discriminatory basis only insurance companies authorized to do business in this state, selected by the borrower.

Further amend the amendment by striking out the last sentence of subparagraph (a) of paragraph (9) of RSA 417:4 and inserting in place thereof the following:

This provision does not prevent the exercise by any mortgagee of his right to approve on a reasonable non-discriminatory basis only insurance companies authorized to do business in this state, selected by the borrower.

Senator Buchanan: "We feel that this is a little bit better grammar."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The bill as amended was ordered to a third reading.

Senator English, for the Committee on Education: SB 80, relative to guaranteed loans to students for higher education. Ought to pass.

Senator English: "Mr. President, SB 80 has been given consideration by the Education Committee which notes that it requires an appropriation and must, therefore, go to the Finance Committee. Should this bill find an appropriation and it again appears on the Senate floor, the Education Committee may want to restudy certain of the provisions."

The bill was referred to the Committee on Finance, under the rules.

Senator Blaisdell, for the Committee on Liquor Laws: HB 289, providing for a hearing after suspension of a liquor license or beverage permit. Inexpedient to legislate.

Senator Mitchell: "Mr. President, this bill would require the Commission to grant a hearing upon request within five days of the suspension. I was with the Liquor Commission for nearly 20 years and I never knew the Commission to refuse anyone a hearing at any time. The Committee felt that this bill was not necessary and would simply add to the expense. Therefore the Committee decided that the bill should be reported unanimously as inexpedient to legislate."

On a *viva voce* vote, the recommendation of the Committee, Inexpedient to Legislate, was adopted.

Senator Blaisdell, for the Committee on Liquor Laws: HB 342, relative to advertising of alcoholic beverages. Ought to pass.

Senator Mitchell: "Mr. President, all this bill does to the regulation already on advertising, is to add 'sport films and travelogues.' The Commission has no objection to this and the committee voted the bill as ought to pass."

The bill was ordered to a third reading.

Senator Hunter wished to be recorded as voting against the bill.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 363, relating to the time within which the invoice assessment records shall be prepared. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out lines twelve through eighteen and inserting in place thereof the following: persons. The invoice record shall contain: (1) the information required under RSA 75:4; (2) the record of real estate which shall include the name of the owner, if known; the number of the lot range, if lotted; otherwise, such description as the land may readily be known by; and the number of acres, if known; and (3) the amount of taxes assessed on all property assessed.

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 165, relating to the establishment of contingency funds for units of municipal government. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1 Towns. Amend RSA 31 by inserting after section 97 (supp) as inserted by 1957, 287:4 the following new section:

Amend section 4 of the bill by striking out the first three lines and inserting in place thereof the following:

4 School Districts. Amend RSA 198 by inserting after section 4-a as amended by 1963, 120:6 the following new section: 198:4-b Contingency Fund. Every school district annually by

Further amend said bill by striking out the section which reads "2 Effective Date. This act takes effect sixty days after passage" and inserting in place thereof the following:

5 Takes Effect. This act shall take effect sixty days after passage.

The Senate voted to adopt the amendment offered by the Committee on Engrossed Bills.

Senator Waterhouse, for the Committee on Ways & Means: HB 170, to increase the public revenue from the tax on tobacco. Inexpedient to legislate.

Senator Johnson moved that the words, Ought to pass, be substituted for the report of the committee, Inexpedient to legislate.

Senator Waterhouse moved that action on HB 170 be indefinitely postponed and spoke in support of his motion:

Mr. President: "I rise in support of the Committee report 'inexpedient to legislate'. It is my understanding that an amendment will be offered, reducing the tobacco tax from 23% to 21%, or one cent per package of cigarettes, and my remarks should be construed as being in opposition to this amendment also. This Bill has had the roughest journey of any tax bill introduced in the Senate — and rightly so. Estimates of revenue have ranged from $3\frac{1}{4}$ million dollars to over 5 million, proving to me that no one really knows. Now let's get back to the original estimate as conceived by the office of Governor John King. At the public hearing on Wednesday, April 21, 1965, Legislative Counsel John H. Holland appeared in favor of the bill, on behalf of the Governor, and estimated the revenue would be somewhere in the neighborhood of $3\frac{1}{4}$ millions. That is the figure we must keep in mind, $3\frac{1}{4}$ million dollars. This is the amount the Governor said would be needed from this source to implement his program. This is the amount that will be equalled, and very possibly exceeded, by sales volume alone,

without the imposition of a tax on the working man and woman. Now let me read an editorial that appeared in yesterday's Nashua Telegraph and one in the Manchester Union Leader. The Nashua Telegraph editorial appeared in the May 19 edition entitled 'Let's Hold the Taxes' and the article by D. Frank O'Neil appeared in a recent edition of the Manchester Union Leader stating that the Governor sees no need for new state taxes.

"If this is true, I will not have any part in voting for unnecessary taxes, either for the prestige or political future of any party. Once imposed, they remain a burden on the working man and woman forever. To impose this tax, when the necessary amount is forthcoming, by sales volume alone, verges on moral wrongdoing.

"Since Massachusetts increased the tax on cigarettes last January, people have been pouring across our borders to purchase cigarettes in unprecedented numbers. This accounts for an approximate 30% increase in revenue. For fiscal 1962-63, the total amount of revenue was \$4,757,595.81. The estimated normal increase was \$139,154.00. The actual increase was \$119,129.71. For fiscal 1963-64, the total amount of revenue was \$5,000,032.96. The estimated normal increase was \$142,727.00. The actual increase was \$242,437.15. For the first ten months of fiscal 1964-65, the total amount of revenue is \$4,507,674.06 with two of the better months, May and June, still remaining to be added to this amount. The increase for *six* months, July 1 to December 31, 1964, was \$31,268.59. The increase for the first *four* months, Jan. 1, to April 30, 1965, was \$375,663.98, for a total increase of \$406,932.52. These are considered as the poorer months in terms of revenue.

"Based on these figures, and the testimony of Mr. Casci of the Tobacco Tax Commission, there is no doubt that the amount of revenue needed to implement Governor King's program is forthcoming without any added tax on tobacco products.

"The question is *not* how much money is needed for education, to alleviate human suffering, and all the various needs of state government. The question is — do we insist on taxing one of the simple pleasures of the working man and woman, when that particular source of revenue is yielding the amount asked for without taxation?

"I have never seen a session of the Legislature equal this one in its efforts to tax and spend. Utility taxes — inheritance tax — beer tax — head tax — tobacco tax — soft drink tax — meals and lodging tax — increase in registrations and license fees, auto inspection fee increases, and on top of all this an attempt to impose an income tax on the working man and woman. In my opinion, there is only one answer to this. It is an attempt to dry up all sources of income, in order to promote and establish a broad base tax.

"We know that the State of New Hampshire derives large revenues from the sale of liquor; why is it that we do not raise the price of liquor 15 or 20 cents a bottle to bring in more revenue? It is simply because the state knows that it must depend on sales volume to crowd our liquor stores and keep revenue pouring in. The price spread is more than a dollar on some items. Price and sales volume is the only answer. This applies to tobacco products also.

"Now let us consider another point. Clinics are being established all through the country to help people stop smoking. Whenever the Surgeon-General issues a report linking lung cancer with smoking, our revenues from this source show a decrease. It is possible the Federal Government will eventually force manufacturers of cigarettes to place adverse advertising on each package stating that continual smoking may be hazardous to your health. We are going to need all the outside help we can get. Again, price and sales volume is the only answer.

"Let me summarize some of the arguments against this tax.

"1. The State will gain revenue in an unprecedented amount by leaving the present tobacco tax structure as is.

"2. The State also realizes, through experience in the sale of liquor, that sales volume alone is responsible for the huge amount of revenue from that source.

"3. The impact of these huge sales has not reached the lakes or mountain areas yet but will shortly.

"4. Leaving the present price and tax structure on tobacco products as is could cause New Hampshire to become the biggest tourist attraction in the Northeast.

"5. Health scares and adverse advertising can seriously affect revenue from this source, and we need something to attract

those who continue to smoke. To raise the tax on tobacco products at this time could very possibly result in a loss of revenue."

Senator Rinden: "Mr. President, Senator Waterhouse's presentation this morning is probably the finest of any Committee Chairman that I have heard this session; not only well seasoned, but well delivered. The salient factor that Senator Waterhouse has developed is that we are achieving the same amount of revenue under the present level of tobacco tax as was going to be achieved by increasing the tax 1%. We have achieved our objective as outlined by the Governor for other reasons and that is by increased volume in this State because of the differential in this State and bordering states. Senator Waterhouse has made a good point. The tobacco tax as it is already fulfilling its purpose and there is no occasion for further increase. . . ."

Senator Johnson: "Mr. President, I would start off by saying that I have the greatest respect for the Ways & Means Committee and for its Chairman. It is with some regret that I stand here to oppose the report of the committee and that of the Chairman who has worked very, very hard. It was because of this respect that last Tuesday we met with the full Senate in order to go over the facts of this matter in some detail. It has been suggested that an amendment will be offered to change the tax from $2\frac{1}{2}\%$ down to 1c. That is correct. In any situation there comes a time where you have to look to your experts, to give you advice as to certain facts in the future. As pointed out by Senator Waterhouse, there is some doubt as to what this tax will bring in. All we can do is to look to those experienced in the field. At this time, I will ask the Clerk to read a letter received from Lawton Chandler of the Tax Commission. The essence of this letter is simply this: If the tax is increased by 1c, a five million dollar increase will be the result. In addition to this letter, the Senate also has the advice of Remick Loughton who has studied into this matter in great detail. He says 5 million dollars at 1c increase. Mr. Casci of the Tobacco Tax Dept. says that 1c increase will provide a 4 million dollar increase and as it is now, 3 million dollars that would be over and above last year . . ."

Senator Martel: "Mr. President, I rise in opposition to the pending motion. In doing so, I wish to express my personal homage to the Senator from the 19th District for the tremendous amount of work he has done in studying this problem. After

attending the meeting, I gathered that if we do raise it 1c a package, I feel that we can do so without imposing any hardship. . . . I would urge my colleagues to vote against the pending motion and support the motion of Senator Johnson to substitute."

(Discussion ensued)

Senator Lamontagne spoke in opposition to the pending motion.

On motion to indefinitely postpone, Senator Waterhouse requested a Division.

Senator Provost demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Saggiotes, Rinden, Provost, Waterhouse and Bergeron.

The following named Senators voted in the negative: Lamontagne, Martin, Mitchell, Johnson, Gardner, Howard, Gove, Blaisdell, English, Buchanan, Riley, Green, Martel, O'Gara, Hunter and Foley.

Five Senators having voted in the affirmative, and sixteen Senators having voted in the negative, the motion did not prevail.

Question now being on motion of Senator Johnson to substitute ought to pass for inexpedient to legislate.

On a *viva voce* vote, the motion to substitute prevailed.

Senator Johnson offered the following amendment:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Tax Increase. Amend RSA 78:7 (supp) as amended by 1955, 256:1 by striking out the word "fifteen" where it occurs on the second and sixteenth lines and inserting in place thereof the word, twenty-one, so that said section as amended shall read as follows: 78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of twenty-one per cent upon the value of all tobacco products sold at retail in this state measured by the usual selling price. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing

the tobacco products in which such products usually are sold at retail, but the word "package" as used herein shall not include individual cigars, cigarettes or plugs or hanks of chewing tobacco, and such stamps shall be affixed in denominations of not less than one-half cent to an aggregate value nearest the tax hereby imposed. No tax is imposed on any transactions the taxation of which by this state is prohibited by the constitution of the United States. Each unclassified importer shall within twenty-four hours after receipt of any unstamped tobacco products in this state notify the tax commission of the amount and brands of tobacco products received and the name and address of the consignor. The tax commission, thereupon, shall notify the unclassified importer of the amount of the tax due thereon, at the rate of twenty-one per cent of the value thereof. Payment of the amount due the state shall be made within ten days from the mailing date of the notice thereof. Any unclassified importer refusing to pay the tax on tobacco products imported by him within ten days after being notified of the amount of said tax by the tax commission, shall be subject to a fine of not less than twenty-five dollars or more than one hundred dollars.

The amendment was adopted.

Senator Buchanan: "Mr. President, this bill has been a source of great mental pain to many of us. Some of us have been inclined to go along with Senator Waterhouse. Others have felt that the imposition of an increased tax is necessary. I would like to point out to the Senators that there will before this body be an opportunity to amend the State Constitution to allow for annual sessions. If the budget was not on a biennial basis, we would not have to propose this tax at this time. I hope this will be kept in mind at the time that this amendment is presented."

The bill as amended was ordered to a third reading.

Senator Waterhouse requested to be recorded as voting against the bill.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate bills:

HB 115, An Act increasing the per diem rate of members of the board of chiropractic examiners.

HB 183, An Act to provide assistance for families and businesses displaced by highway construction or reconstruction projects.

HB 277, An Act relating to contracts between municipalities and the New Hampshire water resources board.

HB 375, A Act to authorize the nomination of trustees of the Nashua Public Library by joint ballot of the trustees and aldermen.

HB 441, An Act authorizing the department of education to participate in federal program for Civil Defense Adult Education.

HB 462, An Act legalizing proceedings at the town meeting March 9, 1965, in the town of Chesterfield.

HB 489, An Act legalizing proceedings at the town meetings March 10, 1964, and March 9, 1965, in the town of Bow.

HB 510, An Act to legalize the proceedings of the annual Plymouth village fire precinct meeting held at Plymouth, March 11, 1965.

HB 543, An Act legalizing the annual town meeting held in the town of Rollinsford on March 9, 1965.

SB 60, An Act relative to the board of trustees of the University of New Hampshire.

HB 141, An Act relating to disqualification of a school board member for conflict of interest.

HB 271, An Act to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars.

HB 325, An Act relative to early land acquisition by housing authorities.

HB 571, An Act authorizing the town of Greenville to contract with the New Hampshire Water Resources Board.

SB 6, An Act relative to school boards purchasing accident or injury insurance.

Eda Martin, for the committee.

The report was accepted.

House Message — First & Second Reading of Bill

HJR 45, making deficiency appropriation for the racing commission. Referred to Committee on Finance.

On motion of Senator Johnson, the rules were suspended to dispense with referral to Committee of the above captioned Joint Resolution, holding of public hearing, and taken up at the present time.

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

The above captioned HJR 45 was ordered to a third reading.

Special Order of Business at 11:01

Senator Rinden called for the Special Order.

Being consideration of Committee on Judiciary Report: Ought to pass on: HB 337, relating to contributing to delinquency of a juvenile.

Senator Johnson: "Mr. President, this bill is simply to amend a section of the statutes which were passed in 1957. Under the present statutes, before the parent of a delinquent can be held responsible, there must be a finding that the child is a delinquent. In other words, the court must put on record that this child is a delinquent. Now, in some cases, the child does not realize that he has been doing wrong. Under this change, the courts may go against the parent. Section 2 is a new procedure. In order to go against a child who twice has been led astray by the parent, the court may go against the parent."

The bill was ordered to a third reading.

Concurrent Resolution

Senator Lamontagne offered the following Concurrent Resolution which was adopted:

Whereas, 1965 marks the one hundredth year of the establishment of the Salvation Army; and

Whereas, the first corps in New Hampshire was established in Berlin in January, 1888; and

Whereas, the Salvation Army now consists of twenty-five thousand officers and thirty thousand employees and is active in seventy-one countries and areas, now therefore be it *resolved* by the Senate of the General Court of New Hampshire, the House of Representatives concurring:

That the General Court of New Hampshire commends and recognizes the services of the Salvation Army for its century of service to God and man and its help to all people at the point of need, whatever the need may be, and be it further *resolved*

That a copy of these resolutions be transmitted to Brigadier Fred H. Jackson, Divisional Commander, Northern New England Division and William J. Lawrence, Service Unit Representative.

* * *

Senator Howard: "Mr. President, I believe I speak for all of the Senators — we are glad to see Bill White back in his chair as Assistant Clerk."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills & Joint Resolution

HB 130, relating to identification of purchasers of real estate.

HB 170, to increase the public revenue from the tax on tobacco.

Senator Waterhouse desired to be recorded as voting against the bill.

On motion of Senator Howard, the Senate refused to reconsider its vote on the above entitled bill.

HB 337, relating to contributing to delinquency of a juvenile.

HB 342, relative to advertising of alcoholic beverages. Senator Hunter desired to be recorded as voting against the above entitled bill.

HB 497, relating to coercion in placing insurance on real and personal property.

HJR 45, making deficiency appropriation for the racing commission.

On motion of Senator Howard, the Senate refused to reconsider its vote on the above captioned Joint Resolution.

On motion of Senator Tufts, the Senate adjourned at 1:08 p. m., to meet next Tuesday morning at 11 o'clock.

TUESDAY, May 25, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guest of the entire Senate, the former Senator from the 5th District, Robert S. Monahan of Hanover.

As the guests of Senator Gove, his wife Anne, his sister and husband, Mr. and Mrs. Frank O. Affeld, and friend Mrs. Mary Jensen.

House Message — First & Second Reading of Bills

HB 233, relating to the establishment of a state liquor store in the town of Hudson. Referred to Liquor Laws.

HB 266, relative to the disposal of garbage and refuse. Referred to Public Health, Welfare & State Institutions.

HB 288, relating to arrest, detention and arraignment of criminal defendants. Referred to Judiciary.

HB 387, relating to the establishment of a state liquor store in the town of Pelham. Referred to Liquor Laws.

HB 555, relative to payment of fees by foreign corporations. Referred to Executive Depts., Municipal & County Governments.

HB 590, to disregard certain earned income in old age assistance. Referred to Public Health, Welfare & State Institutions.

The Message further stated that the House of Representatives refuses to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 38, relating to salaries of special justices of the district courts.

SB 46, prohibiting electioneering on election day.

SB 55, relating to justices of district courts serving full time becoming judicial referees upon retirement.

The Message also stated that the House of Representatives has voted to concur with the Senate in its amendments to the following entitled bill:

HB 497, relating to coercion in placing insurance on real and personal property.

The Message also stated that the House of Representatives has voted to concur with the Senate in the passage of the following entitled bill:

SB 63, providing for the forfeiture of liquor found in the possession of a minor.

Committee Reports

Senator Lamontagne, for the Committee on Ways & Means:

SB 76, relative to the exemption from tax on neat stock and poultry. Ought to pass.

Senator Waterhouse: "Mr. President, only one person appeared in favor of this bill. There was no opposition, it passed the Committee unanimously, and I urge its passage. It provides that no exemption shall be granted to a person who is delinquent in any taxes."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Ways & Means: HB 279, providing for the assessment and collection of a special head tax for state purposes. Ought to pass with amendment.

Amend section 3 of the bill by striking out the word "April" in the second line of the section and inserting in place thereof the word, June, so that the section as amended shall read:

3 Time of Payment. The head tax shall be assessed upon June 1, 1965 and April 1, 1966, and payable upon demand on or after each of said dates.

Amend section 4 of the bill by striking out the word "June" where it first appears in line three and insert in its place the word, July, so that the section as amended shall read:

4 Collection. The selectmen of towns and assessors of cities shall on or before July 1, 1965 and June 1, 1966 make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the list together with a warrant under their hands and seals to the collector of taxes for such town or city directing the collector to collect the head taxes on or before December first next following and to keep the head taxes in a special account, and monthly, or oftener, to pay the head taxes over to the town or city treasurer as the taxes are collected. Upon receipt of the original head tax warrant in each year the collector shall forthwith certify to the state treasurer, upon a form prescribed and provided by the state treasurer, the total amount of the taxes received. Upon application by the assessors the tax commission for good cause may extend the time for delivery of the head tax warrant.

Amend section 19 of the bill by striking out the word "April" in the second line of the section and inserting in place thereof the word, June, so that the section as amended shall read:

19 Takes Effect. This act shall take effect as of June 1, 1965.

On motion of Senator Waterhouse, the reading of the amendment was dispensed with, same having been printed in the Journal of last Thursday.

Senator Waterhouse: "Mr. President, all the amendment does is to change the date on which it shall be assessed; June 1, 1965 and April 1, 1966. There was one person who spoke

in favor of the bill and no one spoke against the bill. I was one of those in the early part of the session who felt that this should be returned to the towns to alleviate the property tax. Since that time, it is possible that the towns and cities may not need it more than the state. This is a 'temporary tax' and has been for the past fourteen or fifteen years. I cannot honestly say that I favor its adoption, but I can't stop it."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Bergeron desired to be recorded as voting against the bill.

Senator Foley, for the Committee on Education: HB 544, legalizing the proceedings of the annual meeting of the Timberlane Regional School District held in the town of Kingston on April 10, 1965. Ought to pass.

Senator English: "Mr. President, this bill legalizes the annual meeting of the Timberlane School Board. Like most of these bills, it is a technical matter. The meeting was held outside of the district because of the limited capacity for a meeting in the district. There is no known opposition."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Education: HB 210, relative to powers of Franconia College to grant degrees. Ought to pass.

Senator Green: "Mr. President, HB 210 has to do with the degree-granting powers of Franconia College. Under the provisions of the bill, the associate degree in arts and the associate degree in secretarial science is extended to June 30, 1967."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments: SB 67, relative to retirement benefits for officials and employees of the League of New Hampshire Arts and Crafts. Ought to pass with amendment.

Amend the bill by striking out the title and inserting in place thereof the following:

relative to retirement benefits for officers and employees of the League of New Hampshire Arts and Crafts and The New Hamp-

shire State Employees Federal Credit Union and employees of the State Employees' Association of New Hampshire.

Further amend the bill by inserting the following new sections 2 and 3:

2 The New Hampshire State Employees Federal Credit Union. Amend RSA 100 by inserting after section 54 as inserted by section 1 of this act the following new subdivision:

Employees of the New Hampshire State Employees Federal Credit Union

100:55 Participation Authorized. The New Hampshire State Employees Federal Credit Union may, by resolution legally adopted in form approved by the board of trustees of the state employees' retirement system, elect to have its officers and employees become eligible to participate in the state employees' retirement system. After such election, said New Hampshire State Employees Federal Credit Union shall be known as an employer for the purposes of this chapter. The board of trustees of the state employees' retirement system shall set a date when the participation of the officers and employees of said association shall become effective, and then such officers and employees may become members of the state employees' retirement system and participate therein.

100:56 Membership Requirements. Membership in the state employees' retirement system shall be optional for the officers and employees of said New Hampshire State Employees Federal Credit Union who are in its service on the date when participation becomes effective and any such officer or employee who elects to join such system shall be entitled to a prior service certificate covering such periods of previous service rendered to such New Hampshire State Employees Federal Credit Union or the state for which such New Hampshire State Employees Federal Credit Union is willing to make accrued liability contributions. Membership shall be compulsory for all employees entering the service of such New Hampshire State Employees Federal Credit Union after the date participation becomes effective.

100:57 Reports. The chief fiscal officer of such New Hampshire State Employees Federal Credit Union shall submit to the board of trustees such information and shall cause to be per-

formed, with respect to the employees of such New Hampshire State Employees Federal Credit Union who are members of said retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the performance hereof.

3 The State Employees' Association of New Hampshire. Amend RSA 100 by inserting after section 57 as inserted by section 2 of this act the following new subdivision:

Employees of the State Employees' Association
of New Hampshire

100:58 Participation Authorized. The State Employees' Association of New Hampshire may, by resolution legally adopted in form approved by the board of trustees of the state employees' retirement system, elect to have its employees become eligible to participate in the state employees' retirement system. After such election, said State Employees' Association of New Hampshire shall be known as an employer for the purposes of this chapter. The board of trustees of the state employees' retirement system shall set a date when the participation of the employees of said association shall become effective, and then such employees may become members of the state employees' retirement system and participate therein.

100:59 Membership Requirements. Membership in the state employees' retirement system shall be optional for the employees of said State Employees' Association of New Hampshire who are in its service on the date when participation becomes effective and any such employee who elects to join such system shall be entitled to a prior service certificate covering such periods of previous service rendered to such State Employees' Association of New Hampshire or the state for which such State Employees' Association of New Hampshire is willing to make accrued liability contributions. Membership shall be compulsory for all employees entering the service of such State Employees' Association of New Hampshire after the date participation becomes effective.

100:60 Reports. The treasurer of such State Employees' Association of New Hampshire shall submit to the board of trustees such information and shall cause to be performed, with respect to the employees of such State Employees' Association of New Hampshire who are members of said retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the performance hereof.

Further amend the bill by renumbering section 2 to read section 4.

On motion of Senator Gove, the reading of the amendment was dispensed with, same having been printed in the Journal of last Thursday.

Senator Gove: "Mr. President, this is a bill that I introduced for the benefit of a handful of officials and members of the League of New Hampshire Arts and Crafts. It seemed to be such a good thing that a few days after it was printed the New Hampshire State Employees Federal Credit Union and employees of the State Employees' Association of New Hampshire asked to be included. This merely allows these people to participate in the retirement benefits of the State. They wish to participate in the benefits of the retirement system. There was no objection. Bob Jewell of the State retirement system appeared and spoke in favor of it. There was no opposition."

Senator Hunter inquired of Senator Gove: "What is it going to cost the State?"

Senator Gove replied: "Nothing. It is merely contributory."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 98, relative to the Manchester police relief association of Manchester. Ought to pass.

Senator Buchanan: "Mr. President, this again is one of those bills that we seem to have a plethora of in this session. The incorporation of this association in 1903 had its funds limited to \$100,000. The Chief of Police in Manchester, Mr. McGranahan, who is one of the Trustees of the association, was present and pointed out that they were already in violation of their charter. This bill increases the limit to \$250,000. There was no opposition."

Senator Martel: "Mr. President, I wish to support the report of the committee. As Senator Buchanan has stated, if we do not go along with this bill, they will be in violation of the law."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 227, relative to airport managers. Ought to pass.

Senator Buchanan: "Mr. President, according to law in this State at the present time, before any landing area can be registered as such, there must be an airport manager, approved and designated by the Aeronautics Commission and he must be deputized as a law enforcement officer. With the influx of privately owned landing strips which are made available for public use, this works a hardship on people who have built these strips with their own time, labor and money. This would exempt this type of landing strip from the requirement of having a deputized airport manager. There are approximately twelve of these strips, according to the current registration list, most of them in the northern part of the State."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 300, relative to planning board regulations for subdivision of land in the city of Nashua. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced to benefit the city of Nashua. It seems that a city must have a subdivision ordinance in order to receive federal funds under the Urban Renewal Act. This would give the elected officials the final determination on law or regulations. It received the unanimous support of the Nashua Delegation, the Board of Aldermen, the Nashua Home Builders Association, New Hampshire Home Builders Association and the Greater Nashua Chamber of Commerce. Not a voice was raised in opposition."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 324, to establish a capital reserve item for special tax areas in the town of Hanover, and exempting personal property from sewer and sidewalk area taxes. Ought to pass.

Senator Buchanan: "Mr. President, this bill does two specific things. First, it provides that any surplus in the sewer or fire area should go only for expenses of that area and not be transferred to the general funds of the town and that the sur-

plus can be spent by the vote of the town in regular town meeting. Second, it also exempts personal property from this act which is something that should have been included in the bill enacted by the 1963 Legislature which made Hanover a town and abolished the precinct. This was recommended and approved by the Tax Commission as eliminating an awkward situation. There was no opposition and the committee voted unanimously that the bill ought to pass."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 411, relative to trustees of Brewster Free Academy. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced at the request of the Trustees of the Brewster Free Academy in Wolfeboro and simply requests that they be allowed to alter the makeup of their Trustees. The present membership is 4 ex officio members and 11 elected. This bill changes it to 3 ex officio and 16 elected. Previous to the present time, a member of the Wolfeboro School Committee was a member. Since they have a cooperative high school up there, this is not necessary. There was no opposition in either the House or the Senate. Again, this is a housekeeping bill."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 440, relative to the firemen's retirement system. Inexpedient to legislate.

Senator Buchanan: "Mr. President, this bill was not printed in regular form. It was printed in the House Journal. We held three hearings on this bill. We notified the sponsor of the bill of the three hearings to be held. No one appeared. The sponsor did not appear and the Committee reports the bill as inexpedient to legislate."

The resolution of the Committee, Inexpedient to Legislate, was adopted.

Senator Blaisdell requested to be recorded as voting against the adoption of the Resolution of the Committee.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 545, to legalize the spe-

cial town meeting of June 5, 1962, and the annual town meetings on March 10, 1964, and March 9, 1965, in the town of Brentwood. Ought to pass.

Senator Buchanan: "Mr. President, here again we have a legalizing bill. It seems that zoning and building regulations were adopted at the meetings of June 5 and March 10. There has been a question as to the legality of these regulations and this bill would resolve that question. The article relative to borrowing money in anticipation of taxes was omitted from the warrant for the meeting of March 9, 1965. It was inserted by motion from the floor and this bill would validate this."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 546, legalizing the annual town meeting held in the town of Tilton on March 9, 1965. Ought to pass.

Senator Buchanan: "Mr. President, this bill would legalize this town meeting. The town meeting was held without the town reports being printed, because of the inability of the printer to get the town reports out in time. There are no bond issues and no complications and there was no opposition."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 547, legalizing the annual town meeting held in the town of Sandwich on March 9, 1965, and the special town meeting held in the town of Piermont on May 7, 1965. Ought to pass.

Senator Buchanan: "Mr. President, here we have in one bill the legalizing of two town meetings. In the case of the Sandwich town meeting, there is the possibility of suit against the town by the wife of the Moderator, so they want to legalize the meeting so there will be no question since he conducted the meeting. In the case of Piermont, the warrant was not printed in the local paper as is required for special meetings. There was an article to issue notes not in excess of \$10,000 to provide funds for the improvement of a road. Voted 57 to 1. No opposition."

This bill was ordered to a third reading.

Senator Martin, for the Committee on Engrossed Bills: HB 232, relative to safe deposit business and building and loan associations. Report the same under Joint Rule No. 6 with the following amendment, and recommend that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act

permitting cooperative banks and building and loan associations to engage in the safe deposit business.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Building and Loan Associations. Amend RSA 393 by inserting after section 45 (supp) as amended by 1955, 51:2 the following new section: 393:45-a Safe Deposit Business. Any cooperative bank or

The Senate voted to concur in the adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 337, relating to contributing to delinquency of a juvenile. Report the same under Joint Rule No. 6 with the following amendment, and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Custody. Amend RSA 169:32 as inserted in 1957, 214:1 by striking out the words "found to be delinquent" in the

Amend section 2 of the bill by striking out the first two lines and inserting in place thereof the following:

2 More Than One Offense. Amend RSA 169:33 as inserted by 1957, 214:1 and amended by 1959, 12:1 by striking out the words "to be delinquent by

Amend section 3 of the bill by striking out the first two lines and inserting in place thereof the following:

3 Finding After Hearing. Amend RSA 169:34 as inserted by 1957, 214:1 by inserting at the beginning of the section the

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 21, relative to number of election inspectors at biennial election. Report the same under Joint Rule No. 6 with the following amendment, and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out lines seven and eight and inserting in place thereof the following:

to the relief of the ballot clerks and to assist the illiterate and physically disabled in voting their

Further amend section 2 of the bill by striking out lines twenty-three and twenty-four and inserting in place thereof the following:

limited to the relief of the ballot clerks and to assist the illiterate and physically disabled

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 147, An Act relating to verification of savings accounts.

HB 224, An Act relating to the powers of banks and other like institutions.

HB 268, An Act authorizing investment of retirement funds in cooperative banks, building and loan associations, and savings banks.

HB 290, An Act relating to preliminary examinations in criminal cases.

HB 332, An Act relative to charter of city of Portsmouth.

HB 342, An Act relative to advertising of alcoholic beverages.

SB 37, An Act relating to the time within which actions for injury must be brought against persons who performed or furnished the design, planning, supervision or construction of an improvement on real property.

SB 40, An Act relative to the New Hampshire Unitarian Association.

SB 50, An Act to amend the charter of Women's Aid Home.

SB 51, An Act relating to conveyances and other transfers of buildings on land of another.

SB 63, An Act, providing for the forfeiture of liquor found in the possession of a minor.

HJR 18, Joint Resolution in favor of Harry L. Hurlbert.

HJR 45, Joint Resolution making deficiency appropriation for the racing commission.

HB 390, An Act relative to petition for marriage license by non-resident under age.

HB 497, An Act relating to coercion in placing insurance on real and personal property.

Eda C. Martin
For the Committee

The report was accepted.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate: HB 170, to increase the public revenue from the tax on tobacco and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House of Representatives Mr. Angus of Claremont, Mrs. Bartlett of Manchester, Mrs. St. Pierre of Rochester.

On motion of Senator English, the Senate voted to accede to the request of the House.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Waterhouse and Lamontagne.

Special Order of Business for 11:01

Senator Green called for the Special Order.

Being: Consideration of Committee Report, Ought to pass, on the following entitled bill:

HB 528, relative to the New Hampshire Soldiers' Home.

On motion of Senator Saggiotes, the above entitled bill was laid on the table.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session**Third Reading & Final Passage of Bills**

SB 67, relative to retirement benefits for officials and employees of the League of New Hampshire Arts and Crafts and the New Hampshire State Employees Federal Credit Union and employees of the State Employees' Association of New Hampshire.

SB 76, relative to the exemption from tax on neat stock and poultry.

SB 98, relative to the Manchester police relief association of Manchester.

HB 210, relative to powers of Franconia College to grant degrees.

HB 227, relative to airport managers.

HB 279, providing for the assessment and collection of a special head tax for state purposes.

HB 300, relative to planning board of regulations for subdivision of land in the city of Nashua.

HB 324, to establish a capital reserve item for special tax areas in the town of Hanover, and exempting personal property from sewer and sidewalk area taxes.

HB 411, relative to trustees of Brewster Free Academy.

HB 544, legalizing the proceedings of the annual meeting of the Timberlane Regional School District held in the town of Kingston on April 10, 1965.

HB 545, to legalize the special town meeting of June 5, 1962, and the annual town meetings on March 10, 1964, and March 9, 1965, in the town of Brentwood.

HB 546, legalizing the annual town meeting held in the town of Tilton on March 9, 1965.

HB 547, legalizing the annual town meeting held in the town of Sandwich on March 9, 1965 and the special town meeting held in the town of Piermont on May 7, 1965.

On motion of Senator Foley, the Senate adjourned at 12:22 p.m.

WEDNESDAY, May 26, 1965

The Senate met according to adjournment.

A quorum was present.

Notice of Re-consideration

The Chair announced that Senator Blaisdell has requested re-consideration of the following entitled bill:

HB 440, relative to the firemen's retirement system.

House Message — First & Second Reading of Bills

HB 226, to regulate the operation of business on Sunday. Referred to Executive Depts., Municipal & County Governments.

HB 418, relating to calculation of annual and sick leave of state employees. Referred to Labor.

HB 458, relating to wild bear. Referred to Fisheries & Game.

HB 500, relating to hospital survey and construction. Referred to Public Health, Welfare & State Institutions.

HB 521, relative to the investment of capital reserve funds of cities. Referred to Executive Depts., Municipal & County Government.

HB 560, restricting operation of motor vehicles on clam flats. Referred to Fisheries & Game.

HB 626, relative to voting for school board members in the Newfound Regional Cooperative School District. Referred to Education.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 165, relating to the establishment of contingency funds for units of municipal government.

HB 363, relating to the time within which the invoice assessment record shall be prepared.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 94, amending the charter of the Nashua trust company.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments to the following entitled bill:

HB 130, relating to identification of purchasers of real estate.

Introduction — First & Second Reading of Senate Bills

SB 115, to improve the administration of the department of resources and economic development. (O'Gara, Buchanan & Provost) Referred to Joint Executive Depts., Municipal & County Government and Finance.

SB 116, relative to adoption, administration and enforcement of housing codes by municipalities; and appellate procedures in relation thereto. (Green & Martel) Referred to Executive Depts., Municipal & County Government.

SB 117, relating to house boats on Conway Lake. (Lamprey) Referred to Resources, Recreation & Development.

SB 118, authorizing cities and towns to increase the maximum salaries of justices in certain cases. (Hunter) Referred to Judiciary.

SB 119, relative to compensation for a federal customs officer at Berlin municipal airport. (Lamontagne) Referred to Finance.

Introduction of Guests

The President welcomed to the Senate, the Republican women from Coos, Grafton and Merrimack Counties who are visiting the State House today as a part of the program of "Legislative Days" being sponsored by the Women's Division of the Republican Party of New Hampshire.

Senator Howard, on behalf of the Senators from Merrimack County, welcomed the Republican women from Merrimack County.

As the guests of Senator Mitchell, Mrs. Ruth Wilmot of Woodsville, Mrs. Harold Webster of Holderness, Mrs. Wilfred Larty of Woodsville, and Mrs. Stoddard from North Haverhill, all members of the delegation from Grafton County.

As the guests of Senator Martin, the women from Grafton and Coos Counties.

Committee Reports

Senator Hunter, for the Committee on Resources, Recreation & Development: SB 77, relative to the improvement for small boating of the back channels of Portsmouth Harbor. Ought to pass with amendment.

Amend RSA 216-C:2 as inserted by section 1 of the bill by inserting in line 1 after the word "the" the following, New Hampshire state port authority with the approval of the, so that said section as amended shall read as follows:

216-C:2 Federal Assistance. The New Hampshire state port authority with the approval of the governor and council or the commissioner of public works and highways as their appointed agent, are hereby authorized to cooperate with and

enter into agreements with the federal government, or any agency thereof, as they may deem advisable to secure federal funds for the purposes hereof and further to render such assurances to the federal government on behalf of the state as the federal government may require, including but not limited to, an assurance that the state of New Hampshire will hold and save the United States free from all claims for damages that may arise before, during or after prosecution of the work.

Further amend the bill by striking out section 8 and inserting in place thereof the following:

8 Takes Effect. This act shall take effect upon its passage.

On motion of Senator Hunter, reading of the amendment was dispensed with, same having been printed in today's Journal.

Senator Tufts: "Mr. President, this bill will go to the Finance Committee if it is passed by the Senate. This refers to the back channels of Portsmouth Harbor and not the main channels. It starts at the Wentworth Bridge, up Sagamore Creek to Portsmouth, behind Pierce Island. This is a small channel, generally used by recreational boating and lobstermen. The committee heard this bill and there was a great deal of favorable testimony. Some of the evidence that was developed was very encouraging. It was stated that the federal government would maintain this harbor after it has been dredged. Portsmouth will contribute \$40,000 toward the dredging. This means a great deal to the people down there. The second part of the amendment — in order to participate with federal funds, we must have this take effect on passage and this is the second part of the amendment. I hope that the Senate will look favorably on this bill."

The amendment was adopted, and the bill as amended was referred to the Finance Committee, under the rules.

Senator Tufts, for the Committee on Resources, Recreation & Development: SB 82, relative to planning for the future development of Great Bay. Ought to pass with amendment.

Amend section 1 of the bill by inserting in line 2 after the word "development" the following, the New Hampshire State Port Authority, so that said section as amended shall read as follows:

1 Authorization. The commissioner of the department of resources and economic development, the New Hampshire State Port Authority, and the New Hampshire seacoast regional development association in conjunction with the seacoast regional plan, subject to the approval of the governor and council, are hereby authorized to prepare a comprehensive plan for the future development of Great Bay and the immediately adjoining territory. Such authorization shall provide for agreements between public and private agencies including state, federal and municipal, for assistance in connection with the development of the comprehensive plans. Such agreements may include the right to receive grants, aids or services as may be available from the federal government for the planning and development of Great Bay, land may include grants, aids or services from other public as well as private agencies or foundations. In the performance of the planning program hereunder and with prior approval of the governor and council, contracts may be entered into for the employment of professional consultants for such services as are necessary to carry out the purposes and intent of this authorization. The commissioner of the department of resources and economic development may assign permanent employees of the department such additional duties on a temporary basis as deemed necessary and personnel may be compensated from funds made available under this act.

Amend section 2 of the bill by striking out in lines 24 and 25 the words "New Hampshire state port authority" so that said section as amended shall read as follows:

2 Administration. The administration of the comprehensive plan for the further development of Great Bay shall be directed through the seacoast regional plan and such planning program shall be thoroughly coordinated with the regional plan. The scope of the planning program for Great Bay shall give due consideration to the opportunities for the economic development of the state of New Hampshire and the seacoast region, the construction of natural resources including open space and wild life areas, the development of natural resources including the marine fisheries in Great Bay, and shall explore the further development of the public and private recreation industry potential in the vicinity of Great Bay and the adjacent municipalities. The seacoast regional plan shall coordinate the planning program with the department, the university of New

Hampshire, the Rockingham and Strafford rural areas development committees, the U. S. Departments of agriculture, interior, commerce, health, education and welfare, housing and home finance agency, and the general services administration. The planning program shall seek the active cooperation of the department of public works and highways, fish and game department, water pollution commission, water resources board, marine fisheries advisory commission, the mayor and city council or board of selectmen in the adjacent municipalities and other federal, state, county or local public or private agency having interest in or jurisdiction over the future development of Great Bay or a portion thereof.

On motion of Senator Tufts, the reading of the amendment was dispensed with, same having been printed in today's Journal on Page 861.

Senator Tufts: "Mr. President, the amendment does the same thing as in the previous bill. Unintentionally, the Port Authority was not included with those organizations that should be consulted. We have this great body of salt tidal water that flows in under the Sullivan Bridge. In order to regulate the future use of this tidal basin, which will be free of pollution very soon, we need a study to properly utilize this large recreational body of water."

The amendment was adopted, and the bill as amended was ordered to the Finance Committee, under the rules.

Senator Tufts, for the Committee on Resources, Recreation & Development: SB 81, relative to the establishment of a state rifle range. Ought to pass.

Senator Tufts: "Mr. President, at the public hearing held on this bill, there was a great deal of favorable testimony and no unfavorable speaker. This bill will also go to the Senate Finance Committee if passed here, because it calls for a small appropriation. Among those who testified were civilians, National Guard and those with recreational interests, so the committee was very favorably inclined to the spirit and measures of this bill."

The bill was referred to the Finance Committee, under the rules.

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 434, relating to a water supply for the town of Deerfield. Ought to pass.

Senator Tufts: "Mr. President, this is a very simple bill. The town of Deerfield does not at present have a municipal water system. They are not immediately undertaking to utilize one, but they have well within their boundaries a great pond — called Pleasant Pond. This was once used by another town as a supply. The town of Deerfield in looking forward wish to have the opportunity at some future date of perhaps utilizing this pond as a municipal water system."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 485, changing the name of North River Pond to North River Lake. Ought to pass.

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 494, changing the name of Marston Pond in town of Nottingham to Nottingham Lake. Ought to pass.

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SJR 10, in favor of estate of Louis W. Paquette. Ought to pass.

Senator Buchanan: "Mr. President, this is the customary joint resolution when we lose one of our colleagues by death. Senator Lamontagne has pointed out that there is legislation on the books which provides for such a situation. It so happens that the law reads that in the event of the death of a member of the Legislature, the balance of his salary is paid to his wife, if living, and if not, to his estate. We are all aware of the state of Mrs. Paquette's health, and it was felt wise to introduce this joint resolution in this way in order to be more expeditious."

The joint resolution was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 450, relative to insider trading of domestic stock insurance company equity securities. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced in the House at the request of Mr. Knowlton, the Insurance Commissioner. This is model legislation drawn up by the National Association of Insurance Commissioners. It is being introduced in every state so that our domestic insurance companies will be exempt from SEC regulations. Insider trading covers a person who owns 10% or more of the equity securities of a domestic stock company or is an officer or director of such company. This is designed to prevent someone who has inside knowledge which would be of advantage to them.

"At least sixteen states have already passed similar legislation."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 97, creating a state commission on the arts. Ought to pass with amendment.

Amend RSA 19-A:4 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

19-A:4 Compensation. No member of the commission shall receive any compensation for his services.

Amend RSA 19-A as inserted by section 1 of the bill by striking out section 5.

Amend RSA 19-A:6 as inserted by section 1 of the bill by renumbering it to read 19-A:5.

Amend RSA 19-A:7 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

19-A:6 Powers. The commission is hereby authorized and empowered to hold public or private hearings; to accept gifts, contributions and bequests of unrestricted funds from individuals, foundations, corporations and other organizations or institutions for the purpose of furthering the educational objectives of the commission's programs; to make and sign any agreements and to do and perform any acts that may be necessary, desirable or proper to carry out the purposes of this act. The commission may request and shall receive from any department, division, board, bureau, commission or other agency of the

state such assistance and data as will enable it properly to carry out its powers and duties hereunder.

Amend RSA 19-A:8 as inserted by section 1 of the bill by renumbering it to read 19-A:7.

Amend the bill by striking out section 2.

Further amend the bill by renumbering section 3 to read section 2.

On motion of Senator Buchanan, the reading of the amendment was dispensed with, same having been printed on page 862 and 863 of the Journal.

Senator Buchanan: "Mr. President, this bill was introduced by our distinguished Majority Leader, and among other things will establish a Commission on the Fine Arts in the State of New Hampshire. We heard the Senator speak in favor of it. It would provide for a Commission, to be appointed by the Governor, consisting of experts and authorities in the fields of arts, music, fine arts, and literature and would serve within the State. Other states have it and I believe the bill is modeled after similar legislation in the state of New York. Originally, there had been an appropriation, but the amendment withdraws that and there is no cost to the State. One of the amendments provides that the Commission is authorized to accept gifts, contributions and bequests on behalf of the Commission. We feel that this is furtherance of the culture of this fine State which takes second place to no state in recognition of the fine arts and we recommend the passage of this bill."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 231, relating to the Woodsville Free Library and relating to the Woodsville Fire District. Ought to pass with amendment.

Amend the title of the bill by striking out the word "and" and adding at the end thereof the words, and legalizing the proceedings of the annual town meeting in the town of Haverhill.

Further amend the bill by inserting after section 2 the following new section:

3 Haverhill Proceedings Legalized. All the votes and proceedings of the annual town meeting held in the town of Haverhill on March 9, 1965 are hereby legalized, ratified and confirmed.

Further amend the bill by renumbering section 3 to read section 4.

* * *

Senator Buchanan: "Mr. President, the amendment is simply a clarifying one, to include with the title the content of the balance of the bill which covers three separate features within the Woodsville and Haverhill area. The reference to the Woodsville Free Library has to do with the debt limit of \$30,000 when the building was built in 1893. The Committee felt that \$200,000 would cover it for the foreseeable future. The reference to Woodsville was to legalize this meeting as there is a bond issue of \$45,000. The amendment that legalizes the town meeting in Haverhill — there was some question in the case of balloting in the election of one selectman. There was no opposition to any aspects of this bill at the Committee hearing."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 301, to revise the charter of the city of Rochester to adjust the salaries of mayor and councilman. Ought to pass with amendment.

* * *

Amend the title of the bill by striking out same and inserting in place thereof the following:

to revise the charter of the city of Rochester to adjust the salary of the mayor.

Further amend the bill by striking out section 2 thereof.

Further amend the bill by renumbering section 3 to read section 2.

Senator Buchanan: "Mr. President, this bill was originally drawn to revise the charter of the city of Rochester to adjust

the salaries of both mayor and councilmen. There was a public hearing in Rochester and there was no opposition. It changes the salary of the mayor from \$2,500 to \$4,000. The section relating to the councilmen was deleted in the House, but it was not deleted on the Senate copy of the bill. This is the reason for the amendment by this body which deletes the bill in line with what it ought to be."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Saggiotes, for the Committee on labor: HB 280, relative to citizens job protection. Ought to pass.

Senator Saggiotes: "Mr. President, House Bill 280 is better known as the 'Strikebreaker Bill'.

"This bill prohibits management of a plant involved in a strike, lockout, or labor dispute to employ, in the place of an employee involved in the same, any person who customarily and repeatedly offers himself for employment in the place of employees involved in a strike, lockout or labor dispute.

"It also prohibits the so-called professional strikebreaker from taking or offering to take the place of an employee involved in a strike, lockout, or labor dispute, and it prohibits an employer from hiring any person who, to the employer's knowledge, is unaware of the existence of such strike, lockout, or labor dispute.

"Under the provisions of this bill, a person shall not act as a picket for compensation in connection with any strike, lockout, or labor dispute in any trade or industry unless he is normally and customarily employed in such trade or industry.

"Any person, partnership, agency, firm, or corporation violating any provision of this act is guilty of an offense, and each day's continuance of this infraction is considered a separate offense and is subject to a fine of not more than \$100 or imprisonment for not more than 6 months or to both such fine and imprisonment.

"At the public hearing held by the Senate Labor Committee, there were approximately a dozen or more witnesses appearing in favor of the bill, while there were two appearing in opposition.

"After due deliberation, the committee voted unanimously to report the bill as 'ought to pass'."

Senator Martel spoke in support.

The bill was ordered to a third reading.

Senator Howard wished to be recorded as voting against the bill.

Introduction of Guests

As the guest of Senator Rinden, his wife, Constance.

Also, the pupils of the 7th and 8th grade of the Gilman-ton Elementary School, thirty-five students, with their teachers.

As the guest of Senator Green, Mrs. Thomas (Rose) Bo-vaird, the Republican National Committeewoman of New Hampshire.

Special Order of Business for 11:01

Senator Buchanan called for the Special Order.

Being consideration of Committee Report on: HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants. Ought to pass.

Senator Gardner offered the following amendment:

Amend RSA 383:7 as inserted by section 3 of the bill by adding at the end thereof the words, and supervisor of the legal list, so that said section as amended shall read as follows:

383:7 Compensation; Assistants. The annual salary of the bank commissioner, and that of the deputy commissioner, shall be that prescribed by RSA 94:1-b. The commissioner may appoint examiners and such clerical assistants as may be necessary, within the limits of the appropriations therefor and the regulations of the state personnel system. The commissioner, deputy commissioner, assistant commissioner, examiners, and other assistants shall be allowed their actual traveling expenses when engaged in their official duties. No person shall be employed in the banking department who would be disqualified to serve as commissioner under the limitations of section 6, provided, that this prohibition shall not apply to typists, stenographers and secretaries and supervisor of the legal list.

Senator Gardner spoke in support: "Mr. President, as you all know, there has been difficulty in this department for a great many years. This person who is covered here, if he were not included in this, would come under the bank commissioner and that would prohibit him holding his mortgage in the FHA. As I understand it, if he was forced to change this mortgage, it would work quite a hardship on him. He is the only employee with this title in the bank commissioner's office. There is only one of these employed in each state. He is not a bank examiner, but is just a supervisor of the legal list."

Senator Buchanan: "Mr. President, I rise in opposition to the pending motion. This particular situation, I feel is an unfortunate one. Following the action of this body last week in making this a Special Order for today, the Banks, Insurance & Claims Committee met with the bank commissioner to explore this problem further and in view of the fact that the person involved had done some personal lobbying in this body, the Committee is satisfied that this legislation is not aimed at an individual. It is my personal opinion that it is not. It was the opinion of the Attorney General that the problem that aroused and created this situation is completely out of the hands of the bank commissioner at this time. I do not wish to go into details of this as it is not my intention to embarrass anyone.

"I feel that legislation of this sort aimed at one person is bad. Legislation passed to benefit only one person is equally bad. I have been assured by the bank commissioner that he would have no trouble whatsoever in placing this gentleman's mortgage with a bank at the same rate of interest. It has been done before. To correct the Senator from the 6th District, as I understand it, the mortgage is currently in a savings bank which is under the jurisdiction of the banking commission which is illegal if this bill is passed as amended. Furthermore, the mortgage would be placed within a national bank or a federal savings and loan association and the commissioner has assured me that it is possible to do this. A word as to why the bank commission wishes to have this passed. From time to time, it is necessary for the bank commissioner to make examinations and audits on a very short notice. With the new branch banking law authorizing branches throughout the state, it is frequently necessary for the commissioner to send everyone in his office except the clerical help off to some city or town to do a quick check on some phase of the bank's operation. The job specification for

the supervisor of the legal list indicates, and I have seen the personnel's specification, that he shall perform such other functions as the bank commissioner may direct in addition to his other duties. The bank examination may be as simple as counting the cash in a teller's cage or as exacting as going over the entire investments of the bank. There is a sixty day wait before this bill goes into effect which I believe may provide ample time for the bank commissioner to replace this mortgage to the best advantage of the individual concerned. It is good legislation and an attempt by the bank commissioner to tie up the loose ends in his own office."

Senator Lamontagne spoke in opposition to the amendment and concurred with Senator Buchanan in his remarks.

The Chair declared a brief recess.

(Recess)

The Senate re-assembled.

Question being on adoption of amendment offered by Senator Gardner.

On a *viva voce* vote, the Chair was in doubt and requested a Division.

Nine Senators having voted in the affirmative, and twelve Senators having voted in the negative, the amendment was not adopted.

Senator Buchanan: "Mr. President, the reason that the bill was made a Special Order of Business has nothing to do with the subject just voted on. It had to do with the title of the bill. That was the reason for asking for the Special Order."

The bill was ordered to a third reading.

Reconsideration

On motion of Senator Blaisdell, the Senate voted to reconsider its vote on the following entitled bill:

HB 440, relative to the firemen's retirement system.

On further motion of the same Senator, the Senate voted to recommit the above bill to the Committee on Executive Depts., Municipal & County Government.

At the request of Senator Buchanan, the Chair declared a two minute Recess.

(Recess)

The Senate re-assembled.

Introduction of Guests

As the guests of Senator Lamontagne, a group of Safety Patrol leaders of Berlin, New Hampshire:

As guests of Senator Lamontagne the Safety Patrol from Bartlett School, Brown School and Marston School in Berlin. The following members from Bartlett School: Captain Brian Sullivan, Lt. David Parent, Donna Thomas, Barbara Kolinsky, Mary MacKinnon, Roland Couture, Daniel Belanger, Joseph Stella, Stephen Guerin, Lorene Remillard, Paula Keene, Nelson Castonguay, Ronald Grant; from Brown School: Captain Stephen Hickey, Lt. Randall Rayner, Dana Toussaint, Shelley Buber, William Garneau, Marsha Reynolds, Gary Roy, Gary Batchelder, Catherine Theriault, Larry Lafleur, David Holt, Paul Couture, Lauren Henderson, Lynn Valliere; from Marston School: Capt. Kathy Jacobs, Lt. Pamela Bradley, Susan Reilly, Rick Faucher, Robert Labonte, Deborah Johnson, Brian Landrigan, Edward Devoid, Karen Holway, George Paine, Julie Hanson, Wendy Oleson, David Legace; accompanied by supervisors Pat Valliere and Mrs. Myron Fitch.

House Message — First & Second Reading of Bill

HB 564, to amend the area school plan and the law relating to the school building authority. Referred to Education.

On motion of Senator Buchanan, the rules were suspended, reference to committee and holding of public hearing dispensed with, and the bill was taken up at the present time.

Senator English: "Mr. President, this bill has had a public hearing. It was a joint hearing on May 20th. This bill adjusts errors that were found in sections of the law. There were any number of persons actively in support of this bill and no known person in opposition. The reason that Senator Buchanan has asked the Senate to suspend the rules in connection with this is because of the fact that the Amherst-Milford school organization that is about to be set up. They must arrange for financ-

ing under the provisions of this bill and if it is not completed during the month of May, there is a loss to them of some \$100,000. This is a technical bill. This has had the most careful going over by the most competent group in the State of New Hampshire. The amendment appears in the House Journal of today. This is just a clarification and is the work of Dick Upton."

Senator Buchanan spoke in support: "Mr. President, this will be the first area school district in the State under the provision of the law passed in an earlier session of the Legislature. Amherst is the town in which I live and my children go to school there. I would urge my colleagues to pass this bill."

The bill was ordered to a third reading.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third reading & Final Passage of Bills — Joint Resolution

SB 97, creating a state commission on the arts.

SJR 10, in favor of estate of Louis W. Paquette.

HB 231, relating to the Woodsville Free Library and relating to the Woodsville Fire District and legalizing the proceedings of the annual town meeting the the town of Haverhill.

HB 280, relative to citizens job protection.

On motion of Senator Martel, the Senate refused to reconsider its vote on the above bill.

HB 301, to revise the charter of the city of Rochester to adjust the salary of the mayor.

HB 434, relating to a water supply for the town of Deerfield.

HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants.

HB 450, relative to insider trading of domestic stock insurance company equity securities.

HB 485, changing the name of North River Pond to North River Lake.

HB 494, changing the name of Marston Pond in town of Nottingham to Nottingham Lake.

HB 564, to amend the area school plan and the law relating to the school building authority.

The Chair recognized Senator Martel: "Mr. President, speaking for myself and the administration, we do not regard the introduction of SB 115 as authentic bi-partisan responsibility and we feel that it is not in the best interest to seek passage of this bill because of this action by the leadership."

On motion of Senator O'Gara, the Senate adjourned at 12:45 p.m.

THURSDAY, May 27, 1965

The Senate met according to adjournment.

A quorum was present.

**House Message — First & Second Reading of Bills &
Joint Resolutions**

HB 157, relating to the establishment of community mental health programs and state aid therefor. Referred to Joint Committee of Public Health, Welfare & State Institutions and Finance.

HB 267, relative to building and loan associations. Referred to Banks, Insurance & Claims.

HB 339, relative to legislative mileage allowances. Referred to Finance.

HB 345, relative to finding of disability or death of municipal firemen due to heart and lung disease or hypertension, in workmen's compensation proceedings. Referred to Labor.

HB 367, extending the appropriation for the Beaver Brook dam. Referred to Finance Committee.

HB 522, relative to benefits and taxing provisions under the unemployment compensation law. Referred to Labor.

HB 608, relative to standards for tires on motor vehicles and trailers. Referred to Public Works and Transportation.

HJR 3, to provide compensation for persons damaged by limitations on signs on interstate highways. Referred to Joint Public Works & Transportation and Finance.

HJR 7, in favor of Mount Washington Observatory. Referred to Finance.

HJR 8, in favor of the New Hampshire Veterans Association. Referred to Finance.

HJR 30, in favor of the State of Maine. Referred to Finance.

The Message also stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 21, relative to number of election inspectors at biennial election.

HB 232, permitting cooperative banks and building and loan associations to engage in the safe deposit business.

HB 337, relating to contributing to delinquency of a juvenile.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 279, providing for the assessment and collection of a special head tax for state purposes.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill:

SB 20, relating to administrative committee of the district and municipal courts.

The Message further stated that the House has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution, relative to the Federal Government levy of a 10% excise tax on telephone services.

Whereas, the Federal Government levies a 10% excise tax on telephone services; and

Whereas, such tax was established as a war-time measure, and has long ceased to serve the purpose for which it was originally passed; and

Whereas, it is believed that the Federal Excise tax is grossly unfair because it applies only to the telephone industry customers and does not apply to other utilities; and

Whereas, it is believed that the Federal Excise tax on telephone services should be repealed, or such tax be modified to exempt therefrom telephone charges for domestic and business users or for long distance charges resulting from such uses; therefore be it

Resolved by the House of Representatives, the Senate concurring:

That we, the members of the 1965 General Court, do hereby memorialize Congress to repeal the 10% Excise Tax on Telephone Service, both local and long distance; and be it further

Resolved, that a copy of these resolutions be forwarded to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the House of Representatives and Senate of the United States, from New Hampshire.

The above Concurrent Resolution was referred to the Committee on Ways & Means.

Committee Reports

Senator Martin, for the Committee on Engrossed Bills: HB 564, to amend the area school plan and the law relating to the school building authority. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 8 of the bill by striking out the first two lines and inserting in place thereof the following:

8 Enlargement. Amend paragraph I of RSA 195-A:12 as inserted by 1963, 277:1 by striking out

The Senate voted to concur in the adoption of the amendment offered by the Committee on Engrossed Bills.

House Message

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following entitled House Bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Senate: HB 279, providing for the assessment and collection of a special head tax for state purposes.

Amend section 15 of the bill by striking out lines eleven and twelve and inserting in place thereof the following:

request filed on or before June 15, 1965 and April 15, 1966 shall be exempt from the special head tax.

On motion of Senator English, the rules were so far suspended as to allow the signing of the following entitled bill by the President prior to the receiving of the Engrossed Bills Committee Report by the Senate:

HB 564, to amend the area school plan and the law relating to the school building authority.

Bill Recalled from the Governor

On motion of Senator Lamontagne, the following entitled bill was recalled from the Governor:

HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants.

Senator Lamontagne: "Mr. President, this is the bill that we had for Special Order yesterday. Since the passage of this bill yesterday by a majority vote, more information has come to me that has made me feel that this bill ought to be looked into by the Committee on Banks, Insurance & Claims. This information has nothing to do with the person that I mentioned yesterday on the floor of this Senate. This is another person and there seems to be more trouble caused by the amendment put on by the House. That is the reason that I am asking for reconsideration as I voted with the majority. The

President of the Senate has already talked this matter over with Senator Buchanan and he has no objection."

On further motion of Senator Lamontagne, the rules were so far suspended as to reconsider the vote whereby the Senate ordered the above entitled bill to a third reading.

On further motion of the same Senator, the bill was re-committed to the Committee on Banks, Insurance & Claims.

On motion of Senator Waterhouse, the rules were so far suspended as to allow the signing of the following entitled bill by the President prior to the receiving of the Engrossed Bills Committee Report by the Senate:

HB 279, providing for the assessment and collection of a special head tax for state purposes.

Senator Waterhouse: "Mr. President; this bill must be signed and put into effect as of midnight tonight."

Senator Lamontagne: "Mr. President, the purpose of the above motion is on account of the 30 days' notice that must be given in order to collect the money."

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 324, to establish a capital reserve item for special tax areas in the town of Hanover, and exempting personal property from sewer and sidewalk area taxes. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 6 of the bill by striking out the same and inserting in place thereof the following:

6 Takes Effect. This act shall take effect April 1, 1966.

The Senate voted to concur in the adoption of the amendment offered by the Committee on Engrossed Bills.

Introduction of Guests

As the guests of Senator Riley, the 4th grade pupils of Hooksett Village School accompanied by their teachers, Mrs. Lindahl, Miss Cosio and Miss Dlugasy, and the mother of one of the students, Mrs. Rabb.

Committee Reports

Senator Blaisdell, for the Committee on Fisheries & Game: HB 305, relative to legal length of brook trout in Coos county. Inexpedient to legislate.

The Resolution of the Committee, Inexpedient to Legislate, was adopted.

Senator Blaisdell, for the Committee on Fisheries & Game: HB 275, relative to open season for taking hares and rabbits. Ought to pass.

At the request of Senator Riley, the Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Riley, further consideration of the above entitled bill and Committee Report were made a Special Order of Business for Tuesday next at 11:01 o'clock.

Senator Blaisdell, for the Committee on Fisheries & Game: HB 303, eliminating the weight limit on taking black bass. Ought to pass.

Senator Blaisdell: "Mr. President, this bill simply allows you to take five black bass instead of limit by weight."

The bill was ordered to a third reading.

Senator Blaisdell, for the Committee on Fisheries & Game: HB 143, to provide for replacing lost hunting and fishing licenses. Ought to pass.

Senator Blaisdell: "Mr. President, the old law on the books stated that if a person lost his fishing license, he had to send in a report to the Fish & Game Dept. in Concord to replace it. This bill allows the person to go to any place that sells these licenses and procure one, for the usual fee of \$1, I believe."

The bill was ordered to a third reading.

Senator Blaisdell, for the Committee on Fisheries & Game: HB 458, relating to wild bear. Ought to pass.

The bill was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 130, An Act relating to identification of purchasers of real estate.

HB 210, An Act relative to powers of Franconia College to grant degrees.

HB 227, An Act relative to airport managers.

HB 300, An Act relative to planning board regulations for subdivision of land in the city of Nashua.

HB 411, An Act relative to trustees of Brewster Free Academy.

SB 94, An Act amending the charter of the Nashua trust company.

HB 21, An Act relative to number of election inspectors at biennial election.

HB 232, An Act permitting cooperative banks and building and loan associations to engage in the safe deposit business.

HB 337, An Act relating to contributing to delinquency of a juvenile.

HB 165, An Act relating to the establishment of contingency funds for units of municipal government.

HB 363, An Act relating to the time within which the invoice assessment record shall be prepared.

HB 544, An Act legalizing the proceedings of the annual meeting of the Timberlane Regional School District held in the town of Kingston on April 10, 1965.

HB 545, An Act to legalize the special town meeting of June 5, 1962, and the annual town meetings on March 10, 1964, and March 9, 1965, in the town of Brentwood.

HB 546, An Act legalizing the annual town meeting held in the town of Tilton on March 9, 1965.

HB 547, An Act legalizing the annual town meeting held in the town of Sandwich on March 9, 1965 and the special town meeting held in the town of Piermont on May 7, 1965.

Eda C. Martin
For the Committee

The report was accepted.

Concurrent Resolution

Senators Rinden, Waterhouse and Hunter offered the following Concurrent Resolution:

Whereas, the federal income tax and numerous other taxes levied by the federal government have not only imposed a heavy burden upon the American taxpayer but, by funneling into the federal treasury many of the prime potential sources of state revenue, have had a depressing effect upon each of the fifty sovereign states; and

Whereas, the federal government now takes in federal taxes from the state of New Hampshire approximately two hundred thirty-six million dollars annually, and takes a proportionate amount from each of the other states; and

Whereas, for many years state and local governments have been in a straitened financial condition which constitutes a real emergency which has been compounded by the impact of federal taxation; and

Whereas, this emergency could be alleviated if the several states were given their rightful share of the total tax revenues by a system whereby the government of the United States would refund to each state ten percent of the federal taxes collected therein without curtailing or interfering with any present or future program of federal and state functions; and

Whereas, since these tax funds are the taxes from the people, this refund is not to be considered a federal loan or gift or any form of federal aid nor will the use of these funds be restricted; now therefore be it resolved by the Senate of the General Court of New Hampshire, the House of Representatives concurring:

That we respectfully petition the Congress of the United States to call a convention for the purpose of proposing an

amendment to the Constitution of the United States to provide for a refund to each state of ten percent of all federal taxes collected therein without any restriction on the use of such refunds; and be it further resolved,

That a copy of this resolution be forwarded to every member of the Congress of the United States from the state of New Hampshire, and to the Governor and the Secretary of State of each of the other forty-nine states.

The above Concurrent Resolution was referred to the Committee on Ways & Means.

On motion of Senator English, and without objection, the Senate recessed until 1 o'clock.

(Recess)

The Senate re-assembled.

Introduction of Guests

As the guests of Senator Gardner, the pupils of the 10th Grade at Laconia High School, accompanied by their teacher, Mr. Follansbee.

As the guests of Senator Tufts, the following Seniors from Exeter High School: Charles Akerman, Lois Bennet, Charlotte Bragg, Anthony Buxton, Robert Carbonneau, Richard Cole, David Costa, Richard Curtis, Lora Davis, Peter Day, James Denoncour, Lauren Dixwell, Kathy Drown, Dennis Finn, William Garland, Russell Higgins, Richard Lavoie, Stephen Leonard, John Liberatore, Jeffrey MacKay, James Miles, Michael Pottle, Carlene Szymanski, Neil White, Kathleen Wilbur, Michael Chwatek, Cecelia Loch, Carol Swiezynski, Linda Burnham, Nancy Jacobson, Martha Perkins, Jane Dining, Richard Lang, Paul Fecteau.

Committee Reports

Senator Blaisdell, for the Committee on Liquor Laws: HB 387, relating to the establishment of a state liquor store in the town of Pelham. Inexpedient to legislate.

On motion of Senator Blaisdell, further consideration of the above entitled bill and accompanying Committee Report

was made a Special Order of Business for Tuesday next, at 11:02 o'clock.

Senator Blaisdell, for the Committee on Liquor Laws: HB 233, relating to the establishment of a state liquor store in the town of Hudson. Inexpedient to legislate.

On motion of Senator Blaisdell, further consideration of the above entitled bill and accompanying Committee Report was made a Special Order of Business for Tuesday next, at 11:03 o'clock.

House Message — First & Second Reading of Bill

The House of Representatives has passed the following entitled bill:

HB 603, relative to the powers of Nathaniel Hawthorne College. Referred to Education.

On motion of Senator English, the rules were so far suspended as to dispense with referral to Committee, holding of public hearing, and the bill taken up at the present time.

Senator English: "Mr. President, this bill was jointly heard on May 20th. I understand that an amendment has been attached by the House, and I would ask the Clerk to read it."

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the powers of Nathaniel Hawthorne College.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Powers of Nathaniel Hawthorne College Increased. Nathaniel Hawthorne College, a non-profit, non-denominational, co-educational institution of higher learning, carrying on its activities in Antrim, New Hampshire, is hereby authorized to confer upon the graduates thereof the degree of bachelor of arts and the degree of bachelor of science in business administration, and to give customary honorary recognitions to outstanding individuals for noteworthy achievements.

2 The Coordinating Board of Advanced Education and Accreditation, at three year intervals, shall be invited to evalu-

ate and review Nathaniel Hawthorne College for the purpose of determining evidence of improvement and growth until such time as either the institution is accredited by some National or Regional Accrediting Agency or ten years from the date of commencement of operations of the college.

3 Takes Effect. This act shall take effect May 29, 1965.

Senator English: "Mr. President, I think that the change in wording which was accomplished in the House should be satisfactory to the Senate. This was worked out in conference with several persons concerned. The concern was whether this power should be full powers to grant degrees at the present time or hedge around with some restrictions. This is a new college which has gotten off to a very fine start. It is my understanding that all of those chiefly concerned have seen this draft and find it satisfactory. I would urge the Senate to pass this bill."

Senator Blaisdell: "Mr. President, I rise in support of the remarks of Senator English. I think his Committee has done a very fine job and I wish to be so recorded."

The bill was ordered to a third reading.

Introduction of Guests

As guests of Senator English, a group of students from Marlboro High School.

Announcement by the Chair

"The Chair would state that we are still waiting for the signing of Committee of Conference Report on the tobacco tax bill. It is mandatory that this legislation be passed, if possible, today."

On motion of Senator Blaisdell, the rules were so far suspended as to allow the third reading of bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 279, An Act providing for the assessment and collection of a special head tax for state purposes.

HB 564, An Act to amend the area school plan and the law relating to the school building authority.

Eda Martin
For the Committee

The report was accepted.

Third Reading & Final Passage of Bills

HB 143, to provide for replacing lost hunting and fishing licenses.

HB 303, eliminating the weight limit on taking black bass.

HB 458, relating to wild bear.

HB 603, relative to the powers of Nathaniel Hawthorne College.

On motion of Senator Martel, the Senate refused to reconsider its vote on the above entitled bill, HB 603.

On motion of Senator English, the Senate voted to authorize the President of the Senate to sign HB 603, above, before the Engrossed Bills Committee Report is accepted by the Senate.

Announcement by the Chair

"The Chair would state that the Committee of Conference Report was prepared but Senator Waterhouse spotted an error in the Committee of Conference Report which necessitated it being typed over. It is being typed now and I would estimate that we will be in Recess for perhaps ten minutes. I would appreciate it if thirteen Senators would remain in order that we may have a quorum."

The Chair declared a Recess, subject to the call of the Chair.

(Recess)

The Senate re-assembled.

Committee of Conference Report

The committee of conference to whom was referred House Bill No. 170, An act to increase the public revenue from the

tax on tobacco, having considered the same, report the same with the recommendation that the House recede from its position of non-concurrence and concur in the amendment adopted by the Senate, and that the following amendment be adopted by the House and Senate:

Amend the bill by striking out section 4 and inserting in place thereof the following new sections:

4 Appropriation. In order to insure the payment of the tax upon tobacco products on hand and in the possession of licensees at the time this act becomes effective the state tax commission is hereby authorized to employ such temporary help as may be necessary and procure the supplies, stamps, and other things necessary for the purpose, and the sum of three thousand five hundred dollars is hereby appropriated to defray the cost thereof. Said appropriation shall not lapse at the end of the fiscal year but shall continue and be available so long as there is need therefor. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

5 Takes Effect. Section 4 of this act shall take effect upon passage. Sections 1, 2 and 3 shall take effect as of July 1, 1965.

Thomas Waterhouse
Laurier Lamontagne
Conferees on the Part of the Senate
George W. Angus
Thomas E. Bartlett
Angeline M. St. Pierre
Conferees on the Part of the House

On motion of Senator Howard, the report of the Committee of Conference was adopted.

Senator Provost wished to be recorded as voting against the motion.

On motion of Senator Martel, the Senate voted to go into the afternoon session.

Afternoon Session

On motion of Senator Martel, the Senate adjourned at 2:40 p.m., to meet next Tuesday morning at 11 o'clock.

TUESDAY, June 1, 1965

The Senate met according to adjournment.

A quorum was present.

Leaves of Absence

Senators Mitchell, Gove and O'Gara were granted Leaves of Absence for the day.

Introduction of Guests

In the absence of Senator Gove, the President welcomed to the Senate a group of students from the New Boston School.

House Message — First & Second Reading of Bills

HB 102, establishing a finance commission for the city of Manchester. Referred to Executive Depts., Municipal & County Government.

HB 270, amending the checklist requirements for towns over 4,500. Referred to Executive Depts., Municipal & County Government.

HB 296, relative to trustee's compensation. Referred to Judiciary.

HB 362, providing for increasing the number of deputy registrars for the city of Manchester. Referred to Executive Depts., Municipal & County Government.

HB 457, relative to the salary of the Sheriff of Cheshire County. Referred to Executive Depts., Municipal & County Government.

HB 460, providing for the classification of certain surface waters of the Suncook River watershed. Referred to Resources. Recreation & Development.

HB 470, relative to the Frisbie Memorial Hospital and to the Gafney Home for the Aged. Referred to Executive Depts., Municipal & County Government.

HB 474, to prohibit the taking of lobsters or crabs in Rye Harbor or in the channel of the harbor. Referred to Fisheries & Game.

HB 576, to establish the city of Exeter. Referred to Executive Depts., Municipal & County Government.

HB 582, to allow school building aid use of existing buildings in area schools and for acquisition of sites in anticipation of building schools. Referred to Education.

HB 653, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1966. Referred to Finance.

HB 654, making appropriations for the expenses of certain departments of the State for the year ending June 30, 1967. Referred to Finance.

HB 661, relative to the New Hampshire Congregational Christian Conference. Referred to Executive Depts., Municipal & County Government.

The Message further stated that the House of Representatives has voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 25, providing for more than one deputy city clerk for the city of Manchester.

SB 26, changing the date of primary elections in the city of Manchester.

SB 69, relating to summary judgment.

SB 74, relative to placing a person on probation.

SB 87, relative to compensation of the policemen of the city of Portsmouth.

SB 98, relative to the Manchester police relief association of Manchester.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 564, to amend the area school plan and the law relating to the school building authority.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 231, relating to the Woodsville Free Library, relating to the Woodsville Fire District, and legalizing the proceedings of the annual town meeting in the town of Haverhill.

HB 301, to revise the charter of the City of Rochester to adjust the salary of the Mayor.

The Message also stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 2, relative to unit ownership of real property.

Amend paragraph V of RSA 479-A:1, as inserted in section 1 of the bill, by striking out the same and inserting in its place the following:

V. "Building" means a building or group of buildings having a total of five or more apartments, and comprising a part of the property.

Amend RSA 479-A:22, as inserted in section 1 of the bill by inserting after the word "by-laws" in line fifteen, the words, and the plaintiff in such foreclosure shall be entitled to the appointment of a receiver to collect the same, so the section is amended to read as follows:

479-A:22 Priority of Lien. All sums assessed by the association of unit owners but unpaid for the share of the common expenses chargeable to any unit shall constitute a lien on such unit prior to all other liens except only (1) tax liens on the unit in favor of any assessing unit and special district, and (2) all sums unpaid on a first mortgage of record. Such lien may be foreclosed by the manager or board of directors, acting on behalf of the unit owners, in a like manner as a mortgage of real property. In any such foreclosure the unit owner shall be required to pay a reasonable rental for the unit, if so provided in the by-laws, and the plaintiff in such foreclosure shall be entitled to the appointment of a receiver to collect the same. The manager or board of directors, acting on behalf of the unit owners, shall have power, unless prohibited by the declaration, to bid in the unit at foreclosure sale, and to acquire and hold, lease, mortgage and convey the same. Suit to recover a money judgment for unpaid common expenses shall be maintainable without foreclosing or waiving the lien securing the same.

Where the mortgagee of a first mortgage of record or other purchaser of a unit obtains title to the unit as a result of foreclosure of the first mortgage, such acquirer of title, his successors and assigns, shall not be liable for the share of the common expenses or assessments by the association of unit owners chargeable to such unit which became due prior to the acquisition of title to such unit by such acquirer. Such unpaid share of common expenses or assessments shall be deemed to be common expenses collectible from all of the unit owners including such acquirer, his successors and assigns.

Senator Johnson presiding.

Senator Lamprey: "The amendments are technical changes which were requested by FHA — in case they had to foreclose, the method of appointing a receiver would be in the law. This is the essence of the long amendment that was just read by the Clerk. Simply, a matter of the method to be used — purely technical."

Senator Lamprey in the Chair.

On motion of Senator Johnson, the Senate voted to concur in the adoption of the amendment offered by the House to the above entitled bill.

The Message also stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 170, to increase the public revenue from the tax on tobacco.

The committee of conference to whom was referred House Bill No. 170, An act to increase the public revenue from the tax on tobacco, having considered the same, report the same with the recommendation that the House recede from its position of non-concurrence, and concur in the amendment adopted by the Senate and that the following amendment be adopted:

Amend the bill by striking out section 4 and inserting in place thereof the following new sections:

4 Appropriation. In order to insure the payment of the tax upon tobacco products on hand and in the possession of licensees at the time this act becomes effective the state tax com-

mission is hereby authorized to employ such temporary help as may be necessary and procure the supplies, stamps, and other things necessary for the purpose and the sum of three thousand five hundred dollars is hereby appropriated to defray the cost thereof. Said appropriation shall not lapse at the end of the fiscal year but shall continue and be available so long as there is need therefor. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

5 Takes Effect. Section 4 of this act shall take effect upon passage. Sections 1, 2 and 3 shall take effect as of July 1, 1965.

George W. Angus
Thomas E. Bartlett
Angeline M. St. Pierre
Conferees on the Part of the House
Laurier Lamontagne
Thomas Waterhouse
Conferees on the Part of the Senate

Introduction, First & Second Reading of Senate Bill

SB 120, relative to offensive advertising which can be viewed from a public highway. (Riley) Referred to Committee on Judiciary.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SJR 12, in favor of George W. LaRocque. Ought to pass.

At the request of Senator Buchanan, the Chair declared a two minute Recess.

(Recess)

The Senate re-assembled.

Senator Buchanan: "Mr. President, this is a joint resolution introduced by Senator Lamontagne in behalf of this gentleman. He had a well contaminated by salt draining or seepage from highway salt that cost him several hundred dollars to replace the well. This joint resolution will reimburse him. There was no opposition at the Committee hearing."

The joint resolution was ordered to a third reading.

Senator English, for the Committee on Education: HB 626, relative to voting for school board members in the Newfound Regional Cooperative School District. Ought to pass with amendment.

Amend the title of the bill by striking out the words "Regional Cooperative" and inserting in their place the word, area, so that the title is amended to read: An act relative to voting for school board members in the Newfound Area School District.

Senator English: "Mr. President, first, with regard to the amendment; this simply changes the name to Newfound Area School District instead of Newfound Regional Cooperative School District. In connection with the bill itself; this provides for electing the school members from each town at the town meeting of that town. That also goes for the school district officers — the Moderator and Auditor."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SJR 11, in favor of Violet G. Lemon. Ought to pass.

Senator Buchanan: "Mr. President, it seems that Mr. Lemon was a permanent member of the Manchester Fire Department at the time of his death. The law states that application must be submitted 60 days prior to retirement.

"On January 12th, Mr. Lemon made application for retirement but because of a serious illness did not sign the application until February 4. He passed away on March 28th. Because of this technicality, the Board feels Mrs. Lemon should not be penalized."

The joint resolution was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 109, relative to firemen's retirement system. Ought to pass.

Senator Buchanan: "Mr. President, at the present time, the law in regard to retirement makes it compulsory for a man to retire at 65. Under the rules of the Retirement System, a man may be hired up to age 50. This means when he is 65, he would

not have 20 years of consecutive service. This corrects a conflict between the law and the rules of the System. It changes the age to 45 which would enable a fireman to have 20 years of consecutive service by age 65 when he must retire."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 111, providing for certain deductions from retirement benefits for firemen. Ought to pass.

Senator Buchanan: "Mr. President, this would enable the Treasurer to deduct from the retirement, Blue Cross and Blue Shield as a group and will save money for the retired man. The police have this privilege at the present."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 314, relating to the report of income by certain county officers. Ought to pass.

Senator Buchanan: "Mr. President, this bill is a relatively simple one which clarifies some portions of the law. It was introduced at the request of the Attorney General for clarification purposes. It inserts the new category of district courts and specifies this must be an itemized report. The Secretary of State sends out a form but it is not clear whether it should be itemized. This puts the word 'itemized' in the law. No opposition at the hearing and the Attorney General's office supports it."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 357, increasing the salary of the county commissioners of Coos county. Ought to pass.

Senator Buchanan: "Mr. President, this gives the county commissioners a pay increase of \$500. The money has been appropriated in the budget already to take care of this pay increase when it becomes effective. The Coos County Delegation approved this in the House almost unanimously and there was no opposition at our hearing."

The bill was ordered to a third reading.

Senator Hunter, for the Committee on Fisheries & Game: HB 276, providing for an open season on fisher. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Fisher RSA 210:3-a, as amended by 1961, 147:2 and 1963, 154:1 by striking out the section and inserting in its place the following:

210:3-a Open Season. Fisher may be taken and possessed from October 20 to February 1 by the use of dogs, guns, and traps in the counties of Carroll and Grafton. In all other counties of the state, except Coos where *no* fisher may be taken, fisher may be taken and possessed in like manner from November 1 to February 1. All fisher skins shall be sealed within ten days after the close of the season in the same manner as outlined in section 3 of this chapter. Whoever violates the provisions of this section shall be fined not less than ten dollars for the first and not more than fifty dollars for each additional fisher taken and possessed in violation of this section.

On motion of Senator Hunter, reading of the amendment was dispensed with, same having been printed on page 902 of the Journal.

On motion of Senator Howard, and in the absence of Senator Mitchell who is vitally interested in this bill, further consideration of the above entitled bill and accompanying Committee Report was made a Special Order of Business for tomorrow morning at 11:01 o'clock.

Senator Gardner, for the Committee on Public Health, Welfare & State Institutions: SB 66, entering into the interstate compact on the placement of children enacting the same into law and for related purposes. Ought to pass.

Senator Gardner: "Mr. President, The basic purpose of Senate Bill 66 is to provide for an interstate compact for the protection of children involved in interstate placements. It provides for an orderly and uniform procedure whereby the responsible agencies in both states determine that a proposed placement is in the best interests of the child, and it establishes the continuing responsibility and jurisdiction of the sending state.

"It should further serve to discourage irregular or illegal activities; that is interstate black market or gray market adoptive placements. Under the proposed compact such placements would be in violation of both states and subject to penalties in either jurisdiction. My colleagues should note that the compact does not extend to the placement of children by relatives with relatives.

"This compact will eliminate the reliance on informal agreements which are more or less unilateral and lack authority as well as responsibility and jurisdiction among all parties.

"One of the greatest advantages offered by this compact is clarification of continuing responsibility and jurisdiction and of the relationships between the several cooperating agencies. The agency having responsibility for the support of the child in the home state would continue to have it in the receiving state. Orders for custody and guardianship issued in the home state would continue in force and would not be changed by courts in the receiving state. The agency in the home state would retain the responsibility for final decision on matters affecting the over-all placement plans and the receiving agency would act as an agent of the home state agency.

"The fact that interstate placement frequently involves joint action among multiple agencies, both public and voluntary, within each state further emphasizes the need for some system that will promote coordination among the various agencies and services as they carry out their functions.

"This compact is designed to accomplish this purpose without imposing any new order of controls."

The bill was ordered to a third reading.

Senator Gardner, for the Committee on Public Health, Welfare & State Institutions: HB 330, relating to the licensing of child-caring agencies and the establishment of an advisory committee. Ought to pass.

Senator Gardner: "Mr. President, the fundamental purpose of day care licensing is the protection of children receiving care outside their own homes by establishing and maintaining adequate standards and aiding in the improvement of all such services. The amendment which came in from the House provides that the Advisory Committee be appointed by the Com-

missioner of Health & Welfare who shall designate one member as Chairman."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 581, relative to sewage disposal systems on islands. Ought to pass.

Senator Tufts: "Mr. President, this is another orderly step in the cleaning up of the waters and streams of the State of New Hampshire. Apparently, there is no process in regard to the construction and supervision of sewage disposal systems on islands. The Committee has heard its proposals and recommends its passage."

The bill was ordered to a third reading.

Senator Johnson, for the Committee on Judiciary: SB 84, requiring reporting by physicians and institutions of certain physical abuse of children. Ought to pass with amendment.

Amend RSA 571:25 as inserted by section 1 of the bill by inserting in line seven after the word "to" the words, the bureau of child welfare of the division of welfare of the department of health and welfare which shall notify the, so that said section as amended shall read as follows:

571:25 Purpose. The purpose of this subdivision is to provide for the protection of children who have had physical injury inflicted upon them and who are further threatened by the conduct of those responsible for their care and protection. Physicians who become aware of such cases should report them to the bureau of child welfare of the division of welfare of the department of health and welfare which shall notify the appropriate police authority thereby causing the protection services of the state to be brought to bear in an effort to protect the health and welfare of these children and to prevent further abuses.

Amend RSA 571:27 as inserted by section 1 of the bill by inserting in line five after the word "to" the words, the bureau of child welfare of the division of welfare of the department of health and welfare which shall notify, so that said section as amended shall read as follows:

571:27 Nature and Content of Report; to Whom Made. An oral report shall be made immediately by telephone or other-

wise, and followed as soon thereafter as possible by a report in writing, to the bureau of child welfare of the division of welfare of the department of health and welfare which shall notify an appropriate police authority. Such reports shall contain the names and addresses of the child and his parents or other persons responsible for his care, if known, the child's age, the nature and extent of the child's injuries (including any evidence of previous injuries), and any other information that the physician believes might be helpful in establishing the cause of the injuries and the identity of the perpetrator.

On motion of Senator Johnson, the reading of the amendment was dispensed with, same having been printed on page 902 of the Journal.

Senator Johnson: "Mr. President, the purpose of the amendment is simply to change the place where the doctor makes his report. Rather than to the police, the report will now be made to the child welfare bureau. The passage of the bill has the support of doctors and social workers. This bill provides that a doctor, as soon as he finds a child who has been abused by its parents, shall report same to the child welfare bureau. The purpose is to have persons step in as soon as it becomes clear that there has been abuse and to stop any possibility of there being any further harm to the child. This bill has been passed by twenty-two states up until this time."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator English, for the Committee on Judiciary: HB 288, relating to arrest, detention and arraignment of criminal defendants. Ought to pass.

Senator English: "Mr. President, this is one of 14 bills approved by the Judicial Council and was supported chiefly by Rae Laraba and by Attorney General William Maynard. No one appeared in opposition. It was pointed out that there has been little change in this section since 1842 and that it was in need of revision. It does, basically, two things as indicated on page 2 of the bill. First, it provides that when arrested, the accused may be committed to jail and second, he shall be taken to court without unreasonable delay. This replaces sections which previously provided that the accused could only be jailed during the night or on Sunday and the 'unreasonable delay'

replaces a 24-hour rule. Mr. Maynard said that they had given very careful consideration to the 'unreasonable delay' and felt that it was important that it should be in the bill because of difficulties occurring when evidence is acquired while a person is improperly detained, such evidence being inadmissible."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 400, relative to the salary of the sheriff of Sullivan County. Ought to pass with amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to the salary of the sheriff and appointment of a
salaried deputy sheriff of Sullivan County

Senator Rinden: "Mr. President, this is a very important amendment and I urge its passage. The bill provides for an annual salary of \$8,000 for the sheriff and annual salary of \$5,000 for the deputy sheriff. It has the full support of the Sullivan County Delegation as well as that of the Senator from the 8th District. I understand that it has been unanimously supported in that county after due consideration and we urge its adoption."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Martel, for the Committee on Judiciary: HB 415, to prohibit obscenity. Ought to pass.

Senator Martel: "Mr. President, this bill is the work of the State Judicial Council who has studied the matter referred to it by the last session of the Legislature two years ago. We had a bill more broad in scope at the time, but which did not meet the approval of the Legislature at that time. Chairman Upton and other distinguished members of the Judicial Council have appeared at the House and Senate hearings to urge the support and passage of this bill. There is a change in the original provision of \$1,000 fine and 1 year in prison — this has been cut to fine of \$500 and 6 months confinement. I have been fighting this matter for the past thirty years, at least twenty of which have been in the State Legislature. I am hesitant to throw

by the wayside all that has been approved by the Legislature at the various sessions, but I am told that this is about the only law that could possibly meet the test of constitutionality and goes along with the country's supreme tribunal. For that reason, I urge my colleagues to support it. I would say that it may not be what I would like because under the present statutes in Manchester, we have had many convictions. I never thought I would see the day when our courts would not see the difference between license and liberty or license and freedom. I wish to say that I have had the opportunity to read a book over the weekend put out by a person employed by the staff at the University of New Hampshire which in my calculation has no literary value whatsoever and which may come under this particular statute. I am not to say, but it would seem to me that it is high time to look into the holders of high offices at the University of New Hampshire and not give public funds to those who add nothing but trash. I would urge the support of this bill."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 445, relative to the throwing, depositing and dumping of refuse on private land. Ought to pass.

Senator Rinden: "Mr. President, we have a statute on the book which prohibits throwing trash on public highways. But there is nothing prohibiting the throwing of trash on private lands. This has become a real problem for farmers in rural areas where people throw all kinds of trash on his land. This bill was designed to stop that form of activity by penalty of \$100. The Committee recommends its passage."

The bill was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 434, An Act relating to a water supply for the town of Deerfield.

HB 485, An Act changing the name of North River Pond to North River Lake.

HB 494, An Act changing the name of Marston Pond (Lake) in town of Nottingham to Nottingham Lake.

HB 603, An Act relative to the powers of Nathaniel Hawthorne College.

Eda C. Martin, for the committee.

The report was accepted.

Special Order of Business for 11:01

Senator Riley called for the Special Order.

It being consideration of following entitled bill and committee report, Ought to pass: HB 275, relative to open season for taking hares and rabbits.

Senator Riley: "Mr. President, the reason for the confusion the other day was that there was an amendment in the House which made this bill satisfactory. The original bill was to move the rabbit season back one month. This was very objectionable, but the bill has been amended so it adds 15 days in the month of March. It was felt that this would do no harm to the rabbit population of this State and I urge its passage."

The bill was ordered to a third reading.

Special Order of Business for 11:02

Senator Howard called for the Special Order.

It being consideration of the following entitled bill and Committee Report: Inexpedient to Legislate: HB 387, relating to the establishment of a state liquor store in the town of Pelham.

On motion of Senator Blaisdell, further consideration of the above was made a Special Order of Business for tomorrow at 11:02.

Special Order of Business for 11:03

Senator Blaisdell called for the Special Order.

It being consideration of the following entitled bill and Committee Report: Inexpedient to legislate: HB 233, relating to the establishment of a state liquor store in the town of Hudson.

On motion of Senator Howard, further consideration of the above was made a Special Order of Business for tomorrow at 11:03.

On motion of Senator Buchanan, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills And Joint Resolutions

SB 66, entering into the interstate compact on the placement of children enacting the same into law and for related purposes.

SB 84, requiring reporting by physicians and institutions of certain physical abuse of children.

SB 109, relative to firemen's retirement system.

SB 111, providing for certain deductions from retirement benefits for firemen.

SJR 11, in favor of Violet G. Lemon.

SJR 12, in favor of George W. LaRocque.

HB 275, relative to open season for taking hares and rabbits.

HB 288, relating to arrest, detention and arraignment of criminal defendants.

HB 314, relating to the report of income by certain county officers.

HB 330, relating to the licensing of child-caring agencies and the establishment of an advisory committee.

HB 357, increasing the salary of the county commissioners of Coos county.

HB 400, relative to the salary of the sheriff and appointment of a salaried deputy sheriff of Sullivan County.

HB 415, to prohibit obscenity.

HB 445, relative to the throwing, depositing and dumping of refuse on private land.

HB 581, relative to sewage disposal systems on islands.

HB 626, relative to voting for school board members in the Newfound Area School District.

On motion of Senator Martin, the Senate adjourned at 12:35 p.m.

WEDNESDAY, June 2, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Martin, two prominent men from the north country, Mr. John Wilson who is Secretary of the White Mountain Regional from Lancaster, and Mr. David Spalding of the Spalding Inn Club of Whitefield.

As the guest of Senator English, Father George Fitzgerald who graduated from Dartmouth in 1964 and is going on to be the Chaplain at Tufts. Also, two distinguished citizens from Hancock, Mr. and Mrs. Robert Stewart.

As the guest of Senator Blaisdell, Dr. Arthur Bosa of Keene.

House Message — First & Second Reading of Bills

HB 340, relating to larceny or unauthorized use of a motor vehicle. Referred to Judiciary.

HB 359, relative to bail commissioners. Referred to Executive Depts., Municipal & County Governments.

HB 702, legalizing the proceedings of the annual school district meeting of the Rye School District. Referred to Education.

The Message also stated that the House of Representatives has voted to refer to the Judicial Council the following entitled bill:

SB 53, relating to construction and interpretation of wills.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 62, relative to lease or purchase of voting machines.

The Message also stated that the House concurs with the Senate in the passage of the following Concurrent Resolution, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

Concurrent Resolution regarding an amendment to the Constitution pertaining to the offering of prayer in public schools and other public places.

Amend section 1 of the Resolution by striking out said section and inserting in its place the following:

Section 1. Nothing in the Constitution of the United States shall be interpreted or construed to prohibit the offering of prayer to God in any public school or other public place; however, such prayers shall not be mandatory or prescribed.

Further amend said Resolution by striking out the paragraph following Section 2 and inserting in its place the following:

Be It Further Resolved that if Congress shall have proposed an amendment to the Constitution similar to that contained in this resolution prior to June 1st, 1966, this application for a convention shall no longer be of any force or effect.

Senator Rinden: "Mr. President, the first amendment cuts the heart right out of the Concurrent Resolution. The Resolution as it was originally worded in the Senate went through the Senate overwhelmingly and the first of these amendments adopted by the House cuts the heart out of it, so I think there is good reason for a Committee of Conference because of the differences between the original bill and the bill as it is now. The two are very far apart. I would move that the Senate refuse to concur and request the appointment of a Committee of Conference."

On a *viva voce* vote, the affirmative prevailed, and the motion for Committee of Conference carried.

Pursuant to the above, the Chair appointed as members of the Committee of Conference on the part of the Senate, Senators Rinden and Martel.

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following entitled Senate Bills, in the adoption of which amendments the House asks the concurrence of the Senate:

SB 26, changing the date of primary elections in the city of Manchester.

Amend section 1 of the bill by striking out line three and inserting in place thereof the following:

section 1 of the Laws of 1963, by striking out said

The Senate voted to concur.

SB 69, relating to summary judgment.

Amend section 1 of the bill by striking out lines four through six and inserting in place thereof the following:

justice may require"; and by inserting in line seventeen after the word "if" the words, affidavits are filed but, so that

The Senate voted to concur.

SB 20, relating to administrative committee of the district and municipal courts.

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Committee Enlarged. Amend RSA 502-A:18 (supp) as inserted by 1963, 331:1 by striking out the same and inserting in place thereof the fol-

Amend section 2 of the bill by striking out the first three lines and inserting in place thereof the following:

2 Court to Establish Rules, Practices, Procedures, Forms and Records. Amend RSA 502-A (supp) by inserting after section 19 as inserted by 1963, 331:1 the following new section: 502-A:19-a Rules, Practices, Procedures, Forms and Records. The

Amend section 3 of the bill by striking out lines three and four and inserting in place thereof the following: 502

502:26-b, relating to rules and forms, both as inserted by 1959, 289:1, and RSA 502-A:19 (supp), relating to expenses of administrative committee, as inserted by 1963, 331:1, are hereby repealed.

The Senate voted to concur.

Introduction, First & Second Reading of Senate Bills and Joint Resolution

SB 121, relative to limitation on damages recoverable for wrongful deaths. (Johnson) Referred to Judiciary.

SB 122, relative to inheritance taxes. (Johnson) Referred to Judiciary.

SB 123, relative to the fees for motor vehicle permits. (Johnson) Referred to Executive Depts., Municipal & County Government.

SB 124, changing the date on which tax collectors' deeds become incontestable. (Martel) Referred to Judiciary.

SJR 13, in favor of Leonard B. Greene. (Bergeron) Referred to Banks, Insurance & Claims.

On motion of Senator Bergeron, the printing of the above captioned SJR 13 was dispensed with, and the Clerk read same:

That the sum of seven hundred and thirty-six dollars is hereby appropriated to pay Leonard B. Greene the share of the mutual pool he was entitled to on four mutual tickets numbered 2207/GB01, 2, 6 and 7 purchased by him on July 15, 1954 at Rockingham Park. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Committee Reports

Senator English, for the Committee on Education, HB 582, to allow school building aid use of existing buildings in area schools and for acquisition of sites in anticipation of building schools. Ought to pass.

Senator English: "Mr. President, HB 582 allows school building aid to be used in the case where there are existing buildings in the school district which is to become an area school. It will also provide for the acquisition of sites prior to

the full formulation of plans for area schools. It is felt that this would encourage schools to go ahead, knowing that when the area school was set up the holdings could count in connection with school building aid."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: SB 41, providing reflectorized number plates for motor vehicles. Recommend that the bill be referred to a special interim study commission.

Senator Gove: "Mr. President, this was a bill to authorize the State to get into a program of reflectorized license plates. It has great merit in the line of traffic safety. There were two people who were especially impressed with this bill. There was opposition mainly from the people who would have to implement it at this time. One was the cost factor. It would cost the motoring people an additional 50c. An objection was that this would be a new program and it would be somewhat untimely in the activities at present. Whereas all of these people who objected to the bill being passed yesterday, there was a great deal of sympathy for it. Bob Rhodes, the Safety Commissioner, was there and people from the A A A and others interested in safety. The Committee felt yesterday that this had great merit and felt that it should be studied and be included in the program in the next session."

Senator Lamontagne: "Mr. President, there is no appropriation asked for this study committee, but I would like to add to the remarks of Senator Gove. It was felt that there was merit, but to report this needed an appropriation because of the equipment that would have to be obtained and would have been very expensive. But in order for the program not to die, we make this recommendation without asking for any appropriation. At the same time, it would give the Motor Vehicle Commissioner, Mr. Rhodes and other people involved, to make this study by this special committee that we recommend."

The recommendation of the committee was adopted.

Senator Lamontagne, for the Committee on Public Works & Transportation: SB 61, relating to public roads to private recreational areas. Ought to pass with amendment.

Amend RSA 236-C:5 as inserted by section 1 of the bill by striking out in lines 10 and 11 on page 3 the words "and assisted" so that said section, as amended, shall read:

236-C:5 Advisory Commission. An advisory commission is hereby established and shall consist of not less than three members, one of whom shall be a member of the executive council designated by the governor, one of whom shall be the commissioner of public works and highways, or his designated representative, and the additional one or more members who shall be appointed by the governor for terms of four years each. The commission shall advise the governor and council as to the feasibility and financial responsibility required to be determined as provided in section 4 of this chapter.

Further amend the bill by striking out section 5 and inserting in place thereof the following:

5 Takes Effect. This act shall take effect July 1, 1965.

On motion of Senator Gove, the reading of the amendment was dispensed with, same having been printed on page 926 of the Journal.

Senator Gove: "Mr. President, we have two slight amendments here. One of them is the takes effect clause — it provides to take effect as of July 1, 1965; and deletes two superfluous words in the middle of the bill that did not make any sense."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 201, to regulate width of load on passenger type motor vehicles. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Width and length of Motor Vehicles. Amend RSA 263 by adding a new section after RSA 263:65-b to read as follows:

263:65-c Passenger Type Vehicles, Load Width. No passenger type vehicle that is carrying a load which extends over the sides of the vehicle beyond the line of the fenders on the left side or extends more than six inches beyond the line of the fenders on the right side of the vehicle, may be operated on any highway.

On motion of Senator Lamontagne, the reading of the amendment was dispensed with, same having been printed in the Journal.

Senator Gove: "Mr. President, this is a bill introduced in the House and amended in the House, for some reason. This takes care of a situation in regard to skis on cars and other objects that protrude from motor vehicles. The original bill is in conformity with the Uniform Motor Vehicle Code and they shortened the distance in their amendment in the House, but it was felt by the entire Committee that we should conform with the Uniform Motor Vehicle Code. The people who are skiers and come up from Massachusetts — they conform with Massachusetts law, and it would work a hardship on them to come up here and find that they were not in conformity with New Hampshire law. We amended the bill to bring it back to the original form to conform with the Uniform Motor Vehicle Code of the United States."

Senator Lamontagne: "Mr. President, I rise in strong support of the amendment by the Committee on Public Works & Transportation. The reason that I rise in favor of the amendment is the amendment brings it back to the original bill which brings it into conformity with the Uniform Motor Vehicle Code, as mentioned by Senator Gove. By doing it that way, we will not be hurting out of state people. There are other states that have adopted this Code and it is their state law and therefore, they are aware of what the uniform code is. But the way the amendment was put on by the House, it would have made it pretty hard and created a hardship for the people coming from out of state. That is the reason that the Committee felt that it should be amended back to the earlier form."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 427, extending the time during which an act relative to a certain bridge over the Merrimack River shall be effective. Ought to pass.

Senator Gove: "Mr. President, this bill has to do with a bridge presently closed over the Merrimack River between Canterbury and Boscawen. It gives three choices to the towns of Canterbury and Boscawen; first, to leave the bridge closed;

second, to apply for State bridge aid; and third, to repair the structure at less than State standards. This was supported by the Highway Department and by the members in the House and people of Boscawen and Canterbury. It gives these people a chance to repair this bridge as they see fit."

The bill was ordered to a third reading.

Senator Waterhouse, for the Committee on Ways & Means: SB 93, relative to exemption from taxation of certain railroads. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to taxation of the property of the Mount Washington Cog Railway.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Exempted from Taxation as Utility. Amend RSA 82 by inserting after section 37 the following new section: 82:38 Exemption of Mount Washington Cog Railway. The property of the Mount Washington Cog Railway shall be appraised and taxed pursuant to the provisions of RSA chapter 72, and shall not be subject to the provisions of this chapter.

On motion of Senator Waterhouse, reading of the amendment was dispensed with, same having been printed in Journal.

Senator Waterhouse: "Mr. President, there was no opposition to this bill. The testimony given during the public hearing brought out the fact that there is also another railroad in Claremont that should not be included in this particular thing. We had several people speak in favor of the bill, there was no opposition, and I urge the adoption."

The amendment was adopted, and the bill amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Ways & Means: HB 356, relating to refunds on tax abatement. Ought to pass.

Senator Waterhouse: "Mr. President, again, there was no opposition to this bill. What this bill actually does is to provide tax abatements being made during the course of the year and

extends up to 6 months' time when the interest should be paid on the amount which ranges from \$5 to \$30, according to Judge Marvin of the Tax Commission. The Tax Commission has approximately 300 to 500 requests for tax abatements during the year. About 50% warrant abatement. It was felt that the superior court has always granted these interest charges under ruling by the supreme court."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: SB 101, relative to the recognition of certain marriages performed out of the state. Ought to pass.

Senator English: "Mr. President, SB 101 has to do with the difference in marriage laws in different states and foreign countries. In some states, a marriage between first cousins is legal. In New Hampshire, such a marriage is not legal. This bill would recognize marriages between first cousins properly contracted outside of the state. The reason for this matter coming up is that social security benefits are affected. There is a considerable number of such persons now residing within the state."

Senator Lamontagne: "Mr. President, I introduced this bill because of what has been mentioned by Senator English. This is one of the cases — if any of the Senators wish to look over the case—but I would not want to have the names used. I have here one of the individuals who were denied Social Security when they wished to retire. The husband could collect his Social Security, but because of the New Hampshire law in this state which says that first cousins may not marry — the Welfare Department considers that because of our law, they are not legally married. That is the reason that this bill was introduced. A check has been made that the nationalities involved are in the Canadian French, Jewish and Italian people. I have also checked with the Welfare Department and found that we already have today some of these cases on welfare. Therefore, if this law is passed, these individuals will be able to draw on Social Security because after all, the husband has paid a contribution to that fund and therefore, they are entitled to it."

Senator Tufts: "At the hearing, you also brought up one other point. How long have this couple been married?"

Senator Lamontagne: "Forty-five years."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin for the Committee on Engrossed Bills: HB 458, relating to wild bear. Report the same under Joint Rule No. 6 with the following amendment, and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the first two lines and inserting in place thereof the following:

2 Black Bear. Amend RSA 208:22 as inserted by 1961, 126:-1 and amended by 1963, 311:1 by inserting after the word "arrow" in the

The Senate voted to concur in adoption of amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 303, eliminating the weight limit on taking black bass. Report the same under Joint Rule No. 6 with the following amendment, and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Black Bass. Amend RSA 211 by inserting after section 6-a, as inserted by 1957, 14:1 the following new section: 211:6-b Elimination of Weight Limit on Black Bass, Notwith-

The Senate voted to concur in adoption of amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 143, to provide for replacing lost hunting and fishing licenses. Report the same under Joint Rule No. 6 with the following amendment, and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Fish and Game Licenses. Amend RSA 214:9-b as inserted by 1961, 162:1 by striking out the same and inserting in its

The Senate voted to concur.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 170, An Act to increase the public revenue from the tax on tobacco.

HB 231, An Act relating to the Woodsville Free Library, relating to the Woodsville Fire District and legalizing the proceedings of the annual town meeting in the town of Haverhill.

HB 301, An Act to revise the charter of the city of Rochester to adjust the salary of the mayor.

SB 25, An Act providing for hiring one deputy city clerk for the city of Manchester.

SB 74, An Act relative to placing a person on probation.

SB 87, An Act relative to compensation of the policemen of the city of Portsmouth.

SB 98, An Act relative to the Manchester police relief association of Manchester.

HB 280, An Act relative to citizens job protection.

HB 450, An Act relative to insider trading of domestic stock insurance company equity securities.

HB 324, An Act to establish a capital reserve item for special tax areas in the town of Hanover, and exempting personal property from sewer and sidewalk area taxes.

SB 62, An Act relative to lease or purchase of voting machines.

Paul E. Provost, for the committee.

The report was accepted.

Special Order of Business for 11:01

Senator Howard called for the Special Order.

It being: HB 276, providing for an open season on fisher.

Consideration of Committee Report: Ought to pass with amendment.

On motion of Senator Hunter, the above entitled bill was recommitted to the Committee on Fisheries & Game.

Special Order of Business for 11:02

Senator Blaisdell called for the Special Order.

It being: HB 387, relating to the establishment of a state liquor store in the town of Pelham.

Consideration of Committee Report: Inexpedient to legislate.

Senator Mitchell: "Mr. President, I wish to make a motion that further consideration of this bill be indefinitely postponed. Several days ago, the Committee with two additional members of the Senate had luncheon with the Liquor Commission and I asked the Commission very definitely to assure me that they would put a store in Pelham, which they did. So there is no question in my mind but what there will be a store in Pelham. Therefore, I consider this bill as absolutely unnecessary."

On motion of Senator Buchanan, the Senate voted to lay the above entitled bill and Committee Report on the table.

Senator Foley desired to be recorded as voting against the motion above.

Special Order of Business for 11:03

Senator Lamontagne called for the Special Order.

It being: HB 233, relating to the establishment of a state liquor store in the town of Hudson.

Consideration of Committee Report: Inexpedient to legislate.

Senator Howard moved that the above entitled bill and Committee Report be laid on the table.

Senator Foley inquired: "Is there any chance that a liquor store will be built there as in Pelham?"

Senator Howard withdrew his motion.

Question being on Resolution as offered by the Committee, Inexpedient to legislate.

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Howard, the above entitled bill and Committee Report was laid on the table.

Senator Foley desired to be recorded as voting against the motion.

On motion of Senator English, the rules were suspended to dispense with referral to Committee, the holding of public hearing, and the following entitled bill was taken up at the present time: HB 702, legalizing the proceedings of the annual school district meeting of the Rye School District.

Senator English: "Mr. President, this is one of perhaps one hundred of the legalizing bills that have come before us this session. This bill was heard jointly on May 27th. This bill was introduced because the bonding counsel questioned the time of the posting of the notice of the public meeting held by the budget committee of the town of Rye. There appears to be no opposition to this bill and the town of Rye would like to move ahead with this bill. It appears to be full of merit."

The bill was ordered to a third reading.

Announcement by the Chair

"The Chair would like to take up at the present time a procedural problem which he wishes to speak to the Senate about. The problem deals with the number of working days that the Senate should consider in order to finish up its business in reasonable order and will relate to you some of the problems that the Senate faces in the closing days of the session. The Chair would state that he has been through all this as presiding officer several sessions, some orderly and some that were disorderly. In 1961, we saw the breakdown of the legislative machinery because of the tremendous workload that seemed to come to a head all at once in the last three days of that legislative session. It is true that the majority of the work load seems to fall in the Senate during the last legislative months. This can readily be seen in view of the fact that we are just receiving the budget bills. Many important pieces of legislation will be funneled through the House to the Senate. Another reason that I think the Senate should be going on a four day work session is due

to the fact that we need to keep a steady flow to those people who have to deal with the technical aspects of the legislation. Not only to those who have to draw amendments, but to those who have to read over and see that our Joint Rule No. 6 are in order and that the engrossing is properly taken care of. There is a tremendous amount of legislative activity that goes on after a bill passes both the House and Senate and is signed by the Governor. Therefore, in order to bring about an orderly process, I think we should consider whether or not the Senate thinks it feasible to go on a four day work session, and decide if it prefers to work on Friday or on Monday of each week. Therefore, I think the question that needs to be put is the necessity for the four day week session."

(Discussion ensued)

Senator Martel: "Mr. President, I would move that in the light of your remarks and considering the experience that we have acquired over the years, and the work load that we have facing us, that the Senate go into a four day week operating on Monday, Tuesday, Wednesday and Thursday."

Senator Hunter stated that he would second that motion, if necessary.

Senator Gove inquired: "When do you propose to start this?"

The Chair: "It would be the opinion of the Chair that the need would be next week."

Senator Foley inquired: "Is there any other alternative?"

The Chair: "Yes, of course there is; night sessions might be considered, or the necessity of going after July 1st."

Senator Rinden: "Speaking just for the Committee that I am on, we have kept current right along. We are current today, and as far as our work is concerned, we do not need any extra time. I don't think the extra time is needed here. I wonder about the extra meetings of the Committees that have the work piled up on them. Is it necessary to call the whole Senate in because of these particular Committees?"

The Chair: "This is needed only to keep a constant work flow. This is important."

(Discussion ensued)

The Chair requested a show of hand in favor of going on a four day week.

Seventeen voted in the affirmative.

The Chair requested a show of hands in favor of Monday, Tuesday, Wednesday and Thursday work sessions.

Sixteen voted in the affirmative.

The Chair recognized Senator Lamontagne: "Mr. President, I felt very sorry to learn that the Commandant of the New Hampshire Soldiers' Home, Colonel England, died last evening. I believe that HB 528, relative to the New Hampshire Soldiers' Home, is now on the table. I will not move at this time to take it from the table, but I would like to ask for re-consideration of the motion that laid this bill on the table. I will do that tomorrow. I feel that this is very much in need at the present time."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 61, relating to public roads to private recreational areas.

SB 93, relative to taxation of the property of the Mount Washington Cog Railway.

SB 101, relative to the recognition of certain marriages performed out of the state.

HB 201, to regulate width of load on passenger type motor vehicles.

HB 356, relating to refunds on tax abatements.

HB 427, extending the time during which an act relative to a certain bridge over the Merrimack River shall be effective.

HB 582, to allow school building aid use of existing buildings in area schools and for acquisition of sites in anticipation of building schools.

HB 702, legalizing the proceedings of the annual school district meeting of the Rye School District.

On motion of Senator Foley, the Senate adjourned at 1 p.m.

THURSDAY, June 3, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Waterhouse, Mrs. John Richards, Mrs. Kenneth Hamer, Mrs. Osborne Stone and Mrs. George Muzzey. Also, Mrs. Martha Moore, Miss Dawn Clancy, and the 4th grade of the Floyd School in Derry.

As the guests of Senator Howard, a group of students from the 4th grade of the Tilton-Union Elementary School, accompanied by Mrs. Jeanne Malcolm, Miss Trudy Lombard and Mrs. Mary Graves.

House Message — First & Second Reading of Bills & Joint Resolution

HB 8, to authorize the sweepstakes commission to pay unclaimed prize money to the state treasurer. Referred to Judiciary.

HB 478, legalizing the proceedings of the town meetings March 10, 1964 and March 9, 1965, in the town of Stratham. Referred to Judiciary.

HB 573, legalizing the proceedings at the town meeting March 9, 1965 in the town of New London. Referred to Judiciary.

HB 606, providing for the acquisition of a certain dam and water rights on the Suncook river by the water resources board. Referred to Resources, Recreation & Development.

HB 609, relative to medical assistance for the aged. Referred to Public Health, Welfare & State Institutions.

HB 610, to eliminate relative responsibility in the administration of medical assistance for the aged. Referred to Public Health, Welfare & State Institutions.

HJR 41, providing deficiency appropriation for board of professional engineers. Referred to Committee on Finance.

The Message also stated that the House of Representatives has voted to concur with the Senate in its amendments to the following entitled bills:

HB 626, relative to voting for school board members in the Newfound Area School District.

HB 400, relative to the salary of the sheriff and appointment of a salaried deputy sheriff of Sullivan County.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 39, relative to the salary of special justices of the Hanover district court.

SB 68, increasing the amount of pension towns may grant to certain firemen, police officers, or constables.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 324, to establish a capital reserve item for special tax areas in the town of Hanover, and exempting personal property from sewer and sidewalk area taxes.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 197, relative to credit unions. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Credit Unions. Amend RSA 394:17 (supp) as amended by 1959, 88:1 and 1963, 306:5 by striking out said section and inserting in place thereof the following: 394:17 Use of Funds. While awaiting call of its members for loans, it may deposit its money in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in this state, or, by majority vote of the board of directors in any cooperative bank, building and loan association, savings bank, trust company, federal savings and

loan association, or national bank in New England or, with like vote, may make loans to other credit unions chartered under the laws of this state or under the federal credit union act, provided that the lending credit union has assets of one hundred thousand dollars or more. It may invest any surplus funds in obligations of the United States government or of the state or of any county, city or town of the state, issued pursuant to authority of law. Any credit union with assets of three million dollars or more may purchase real estate mortgages secured by real estate wherever situate which are guaranteed by the federal housing administration and may purchase real estate mortgages secured by real estate in this state and in any state contiguous to this state which are guaranteed by the United States government through the insured loan program of the farmer's home administration. It may be an originator or participating lender in participating loans as defined in RSA 387:1, provided that its participation in such loans shall be within such limits as are prescribed in RSA 394:16.

On motion of Senator Buchanan, the reading of the amendment was dispensed with, same having been printed on pages 949 and 950 of the Journal.

Senator Buchanan: "Mr. President, this would authorize a credit union with assets of 3 million dollars to invest in participating loans and purchase real estate mortgages guaranteed by the United States government through the farmer's home administration. There was no opposition at our hearing and the proposed amendment was prepared to comply with the request of the Bank Commissioner."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 399, relating to investments of savings banks. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Mortgages. Amend paragraph I (supp) of RSA 387:4 as amended by 1955, 214:13, 1959, 61:1, 1961, 246:2, and 1963, 326:2 by striking out said paragraph and inserting in place thereof the following: I. REAL ESTATE IN NEW HAMPSHIRE AND CONTIGUOUS STATES. Those directly se-

cured by first mortgage on real estate situated within this state or within any state contiguous to this state; but no such investment shall be in a loan which exceeds seventy-five per cent of the value of the real estate by which it is secured; except that investment may be in a loan which exceeds seventy-five per cent but not eighty-five per cent of the value of the real estate by which it is secured, provided that it shall be secured by a first mortgage on real estate containing one or more dwelling units for not more than four families each, and which mortgage or mortgage note shall provide for payment within a period of thirty years from the date when the first monthly payment shall become due, and the first monthly payment shall become due nine months from the date of the note or one month from the final disbursement of funds, whichever shall first occur, and which payments, so long as the balance of the loan exceeds seventy-five per cent of the value of the real estate by which it is secured, shall include a proportionate share of the amount necessary to pay the real estate and other taxes upon such property. No loan or mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered, and except upon report of not less than two members of the board of trustees or board of directors, who shall certify on said application, according to their best judgment, on the basis of an appraisal made by one of their members, or by some officer of the bank, or some appraiser employed by the bank for the purpose of appraisal, the value of the premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. The premises so mortgaged shall be revalued in the same manner at intervals of five years so long as they are mortgaged to the bank, provided that such revaluation shall be deemed timely if done any time in the calendar year in which each such fifth anniversary occurs and provided further that the board of trustees or directors may delegate to an officer or officers of the bank the power to certify such revaluations. If at the time of such revaluation the amount of the loan is in excess of the percentage of the value of the premises mortgaged, as allowed above, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practical, to bring the loan to within the authorized percentage. In determining whether any loan exceeds the authorized percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is

guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2) an obligation wholly guaranteed under such title or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase or (4) that portion of a loan on industrial real estate guaranteed by the state of New Hampshire under RSA 162-A:14-a-c, or guaranteed by any state contiguous to New Hampshire under terms providing security equal to or greater than those of RSA 162-A:14-a-c. No bank shall be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2 Other Mortgages. Amend paragraph VI (supp) of RSA 387:4 as amended by 1955, 214:14, by striking out said paragraph and inserting in place thereof the following: VI. OTHER REAL ESTATE. Those directly secured by first mortgage on real estate situated without this state and those states contiguous to it, but entirely within the United States, which at the time of such investment is improved, occupied and productive; and no such investment shall be in a loan that exceeds seventy per cent of the value of the real estate by which it is secured. In determining whether any loan exceeds the above specified percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944 as amended from time to time or (2) an obligation wholly guaranteed under such title or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase. A bank shall not be restricted to the above authorized percentage of a loan secured by property which the borrower is purchasing from the bank. The provisions of this paragraph shall not apply to bonds of railroads, utilities, water companies or telephone and telegraph companies. No loan shall be made under this paragraph VI upon real estate situated outside New England except through or from VA and FHA-approved mortgagees, or except through or from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, nor except

upon written application showing the date, name of applicant, amount asked for and security offered.

Further amend the bill by striking out section 5 and inserting in place thereof the following:

5 Bank Notes. Amend paragraph I of RSA 387:13 by striking out said paragraph and inserting in place thereof the following: I. NEW HAMPSHIRE BANKS. The capital stock of any banking or trust company, or the capital debentures of any mutual savings bank, or the special deposits of any guaranty savings bank, incorporated under the laws of this state and doing business therein, and the capital notes and the capital stock of any national bank in this state; but the amount of such notes or stock or debentures or special deposits held by any savings bank as an investment and as collateral for loans shall not exceed one-fourth of the total capital notes, capital stock, capital debentures, or special deposit of such banking or trust company or savings bank or national bank.

Further amend the bill by striking out section 6 and inserting in place thereof the following:

6 Further Amendment. Amend RSA 387:13 by inserting after paragraph II the following new paragraph: III. CAPITAL NOTES. The capital notes of any of the other banks described in paragraph II hereof provided the capital stock of such bank is a legal investment.

On motion of Senator Buchanan, the reading of the amendment was dispensed with, same having been printed on pages 950 and 951 of the Journal.

Senator Buchanan: "Mr. President, this bill raises loan limits on real estate mortgages in New Hampshire and contiguous states; allows blanket mortgages for one or more dwelling units of not more than 4 families each and provides for the provision of the payment of the note and amortization to be contained in either the mortgage or mortgage note; permits the delegation of the power to certify revaluations and broadens the 5 year interval to any time within the calendar year; includes a new category of guaranteed loans in the section of those excluded in computing the percentage permissible to lend; raises loan limits on mortgages on real estate outside of N. H. and outside the contiguous states and specifies the channels through which these loans can be made; sections 4 and 5

add new forms of securities, capital notes and bank notes and limit the ownership of capital debentures of any mutual savings bank to 25%."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 71, establishing a new positions committee relative to the classified service. Ought to pass with amendment.

Amend section 1 of the bill striking out the same and inserting in place thereof the following:

1 Committee Established. Amend RSA 98 by inserting after section 17-b as inserted by 1963, 11:1 the following new section: 98:17-c New Positions Committee. There is hereby established a new positions committee of five members, no more than three of whom shall be of the same political party. Three shall be from the house of representatives appointed by the speaker with the approval of the house and two members shall be from the senate appointed by the president with the approval of the senate. Members of the committee shall be appointed prior to adjournment of the regular biennial sessions of the legislature and shall hold office from the date of their appointment until their successors are appointed. Any vacancy arising in the membership at any time shall be filled by the speaker or president as the case may be. The committee shall elect one of its members chairman and shall meet at the call of the chairman, or a majority of the committee, as often as is required. A quorum shall consist of three members. It shall be the duties of the committee to consider all requests for new positions and to make recommendations and findings as provided in section 17-a of this chapter both during sessions of the legislature and when the legislature is not in session.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Takes Effect. This act shall take effect upon its passage.

On motion of Senator Buchanan, the reading of the amendment was dispensed with, same having been printed on page 949 of the Journal.

Senator Buchanan: "Mr. President, due to a clerical error, this bill was improperly reported in today's Journal. According to today's Journal, it says 'pass with amendment.' There will be a Minority Report and as a matter of Senatorial courtesy to those offering the Minority Report, we would like to make it a Special Order of Business for 11:01 next Monday."

On a *viva voce* vote, the motion for Special Order carried.

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: HB 590, to disregard certain earned income in old age assistance. Ought to pass.

Senator Gardner: "Mr. President, this would allow old age recipients to disregard the first \$10 and one-half of the next \$40 each month before it is considered in the budget. Some of them mow lawns and help in little ways to earn a little money. This will encourage them to do these things if this were allowed to be disregarded."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 560, restricting operation of motor vehicles on clam flats. Ought to pass.

Senator Tufts: "Mr. President, the situation was ambiguous in that they did not know what law enforcement official could restrict this being done. People used to drive their cars onto the clam flats, thereby crushing many of the clams. This bill is going to put an end to this business. New Hampshire residents can only dig a peck of clams and it is not a very great burden to carry these back to the car. The Fish & Game Dept. is going to restrict this driving on clam flats starting immediately."

The bill was ordered to a third reading.

Senator Blaisdell, for the Committee on Fisheries & Game: HB 281, relative to the definition of game birds. Ought to pass.

Senator Hunter: "Mr. President, this is not a very earth-shaking bill. However, the Fish & Game Dept. endeavors to collect and turn loose some wild turkeys. This bill amends the present law to include wild turkeys and gives them the same protection as is presently provided to game birds."

Senator Martel inquired: "How will we be able to differentiate between the wild and tame turkeys?"

Senator Hunter replied: "The domestic turkey comes home every night to be fed. So if you see a turkey outside feeding itself, you can be sure that it is a wild turkey."

The bill was ordered to a third reading.

Senator Blaisdell, for the Committee on Fisheries & Game:

HB 474, to prohibit the taking of lobsters or crabs in Rye Harbor or in the channel of the harbor. Ought to pass.

Senator Hunter: "Mr. President, this bill would prohibit the putting of traps, or fine nets, into the channels where the boats must pass. It is being prohibited because of the nets getting caught in the propellers where the boats must pass."

The bill was ordered to a third reading.

Senator Blaisdell, for the Committee on Fisheries & Game:

SB 54, relative to hunting with bow and arrow. Ought to pass with amendment.

Amend the bill by striking out section 2.

Further amend the bill by striking out section 3.

Further amend the bill by renumbering section 4 to read section 2.

Senator Riley: "Mr. President, the original bill had a provision in it which cancelled out the muzzle-loader law. This in effect, is the purpose of the amendment. We deleted it because my muzzle-loader bill deleted the old one."

The amendment was adopted.

Senator Riley: "Mr. President, I am not an archer, but a person interested in this sport brought me the information and asked me to introduce it. It gives the archer two and one-half months to hunt with the bow and arrow, and they are compelled to buy a license. This seems like an extensive period of time to some people, but usually the archer has small success. Vermont has passed a similar law. Our take has gone down to practically nothing. In 1963, there were 41 non-resident and 35 resident. To give you some idea, from 1947 to 1963, there were 156,245 deer killed by gun and 86 by bow and arrow. Of these 86, the cost would be \$1,215 per deer, or about \$12 a pound. They feel that this is giving them a break and will perhaps induce

some of the residents of New Hampshire, and Massachusetts archers to come back to New Hampshire. This will cause no damage to the deer. This has nothing to do with firearms at all."

The bill as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: SB 105, raising the minimum age for the holding of a license to operate a motor vehicle to eighteen and providing for exceptions thereto. Ought to pass.

Senator Gove stated that he would yield to Senator Riley.

Senator Riley: "Mr. President, this is a bill that I did extensive work on. I sent letters out to the principals of all the high schools in the State. I sent out 85 letters and received 65 in reply. The intent of this bill is aimed at the high school drop out problem in the hopes that we might entice those from dropping out of school. I checked with the Dept. of Education and there are about 400 students a year who drop out of high school and their excuse is to seek employment. I felt that a large group of these drop outs, and to seek employment, was that they wished to have a car. Out of the 65 returned, 37 answered yes and 23 answered no. We have this set up so that the parent or guardian can petition the school board for an excuse. Also, if you have a high school diploma or certificate, they may get a license at any time. Also, it is set up if a student has a license and he drops out, the license can be withdrawn. We have been very careful of those who have to leave school to help out at home or those not capable of continuing on in school. There was some opposition, but many were in favor. I feel that this legislation does not go far enough."

Senator Buchanan: "Mr. President, by sitting next to Senator Riley, I have become very interested in this bill. I think Senator Riley has done an excellent job. This is good legislation and I urge its passage."

Senator Gove: "Mr. President, this had the unanimous approval of the Committee that heard the testimony."

Senator Foley: "Mr. President, I did not realize this report was coming in today. I would like to look into the matter further and inquire about it. I would move that further consideration of this bill and committee report be made a Special Order of Business for next Tuesday at 11:01."

At the request of Senator Riley, the Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

On a *viva voce* vote, the motion for Special Order carried.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 365, to increase transfer fees on automobiles. Ought to pass.

Senator Gove: "Mr. President, this bill increases transfer fees on automobiles from 50c to \$2. This came about because the communities do most of the bookkeeping work in the transfers and it gives the cities and towns a little added and needed revenue. It had the support of the New Hampshire Municipal Association, Mr. Gould of the Motor Vehicle Department and of course, its sponsor, Mr. Desmarais of Jaffrey. The Committee felt that this was good legislation and unanimously recommended that it ought to pass."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 144, relative to Class III recreational roads. Ought to pass.

Senator Gove: "Mr. President, this bill is the creation of Class III recreational roads entering state parks and recreational areas, etc. and from Route 156 to Pawtuckaway State Park which is to be constructed from other than highway funds. This bill has the support of the Highway Dept. and the support of Senator Bunten of Dunbarton. It also has the support of Russell Tobey of the recreation department. This is good legislation and there was no opposition and we recommend unanimously that it ought to pass."

Senator Riley: "Mr. President, I would like to urge the passage of this bill. I was contacted by the Selectmen of the town of Dunbarton who were upset by perhaps having to maintain roads to state parks, over which travel has increased immensely."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: SB 2, relative to unit ownership of real property. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend paragraph V of RSA 497-A:1 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

V. "Building" means a building or group of buildings having a total of five or more units, and comprising a part of the property.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Bill Taken from the Table

Senator Lamontagne moved that the following entitled bill be taken from the table:

HB 528, relative to the New Hampshire Soldiers' Home.

He spoke in support: "Mr. President, if this motion carries, I plan to make another motion that this be referred back to the Committee on Military & Veterans' Affairs because some information has been given to me by Senator Howard and others, and I feel that this bill should be recommitted back to the Committee."

Senator Howard: "Mr. President, I made the motion to lay this bill on the table and I am glad to support the motion to take it from the table."

On a *viva voce* vote, the motion to take from the table carried.

On further motion of Senator Lamontagne, the above entitled bill was recommitted to the Committee on Military & Veterans' Affairs.

The Chair recognized Senator Buchanan: "Mr. President, in view of the fact that there will be at least one Committee missing on Monday, as well as Senator English, I would like to move that the action whereby SB 71, establishing a new positions committee relative to the classified service, was made a

Special Order of Business for Monday at 11:01 be amended to make consideration of the bill a Special Order of Business for next Tuesday at 11:02."

On a *viva voce* vote, the motion carried.

On motion of Senator Martel, the rules were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading and Final Passage of Bills

SB 54, relative to hunting with bow and arrow.

HB 144, relative to Class III recreational roads.

HB 197, relative to credit unions.

HB 281, relative to the definition of game birds.

HB 365, to increase transfer fees on automobiles.

HB 399, relative to investments of savings banks.

HB 474, to prohibit the taking of lobsters or crabs in Rye Harbor or in the channel of the harbor.

HB 560, restricting operation of motor vehicles on clam flats.

HB 590, to disregard certain earned income in old age assistance.

On motion of Senator Martel, the Senate adjourned at 12:45 p.m. to meet next Monday morning at 11 o'clock.

MONDAY, June 7, 1965

The Senate met according to adjournment.

A quorum was present.

Prayer was offered by Senator Rinden.

Senator Gardner led the Senate in the Pledge of Allegiance to the Flag.

Leaves of Absence

Senators Martin and English were granted Leaves of absence for the day.

Introduction, First & Second Reading of Senate Bill

SB 125, relative to state employees' retirement system. (Lamprey) Referred to Executive Depts., Municipal & County Governments.

Committee Reports

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants. Ought to pass.

Senator Buchanan: "Mr. President, this bill has already been passed once and was recalled from the Governor on motion of Senator Lamontagne. I would point out that the reason for which he moved reconsideration, he thought, as perhaps some other Senators thought, that this bill had something to do with the unfortunate situation in the Bank Commissioner's office. This situation is an unfortunate one and has my sympathy and that of most of the Senators, but this bill has nothing to do with that person or her situation. Therefore, we recommend that the bill be passed and sent on."

The bill was ordered to a third reading.

Senator Johnson, for the Committee on Finance:

HB 189, to provide for cumulative pocket supplements for Revised Statutes Annotated. Ought to pass.

Senator Johnson: "Mr. President, this appropriation is quite obvious from the bill itself. This provides \$11,000 for the printing of the cumulative pocket supplements for Revised Statutes Annotated."

The bill was ordered to a third reading.

Senator Johnson, for the Committee on Finance: SB 80, relative to guaranteed loans to students for higher education. Ought to pass with amendment.

Amend the bill by striking out section 2.

Further amend the bill by renumbering sections 3 and 4 to read 2 and 3 respectively.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Engrossed Bills

Senator Provost, for the Committee on Engrossed Bills: HB 356, relating to refunds on tax abatements. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Interest to be Awarded. Amend RSA 76 by inserting after section 17 (supp) as amended by 1955, 162:2 the following new section:

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Provost, for the Committee on Engrossed Bills: HB 590, to disregard certain earned income in old age assistance. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Public Assistance to Aged. Amend RSA 167:4, as amended by 1961, 50:1, by adding at the end thereof the following new paragraph:

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Provost, for the Committee on Engrossed Bills: HB 365, to increase transfer fees on automobiles. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out line eight and inserting in place thereof the following:

expire; provided, however, that any owner who has paid a permit

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Provost, for the Committee on Engrossed Bills: HB 144, relative to class III recreational roads. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out lines one and two and inserting in place thereof the following:

1 Roads in Dunbarton, Weare, Hopkinton, Raymond and Nottingham.

Amend RSA 231:6 as amended by 1957, 99:1, 162:1, 193:1 and 1961, 223:3 by inserting

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 80, relative to guaranteed loans to students for higher education.

HB 189, to provide for cumulative pocket supplements for Revised Statutes Annotated.

HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants.

On motion of Senator Green, the Senate adjourned at 11:27 a.m.

TUESDAY, June 8, 1965

The Senate met according to adjournment.

A quorum was present.

**House Message — First & Second Reading of Bills &
Joint Resolution**

HB 562, relative to campaign expenses in presidential preference and delegate primaries. Referred to Judiciary.

HB 580, to authorize corporations to guarantee the debts of others. Referred to Judiciary.

HB 595, to provide for registration of and service of process upon foreign partnerships. Referred to Judiciary.

HB 598, to authorize certain medical tests as a condition to holding of a motor vehicle operator's license. Referred to Judiciary.

HB 627, increasing the salary of the county commissioners of Sullivan County. Referred to Executive Depts., Municipal & County Governments.

HB 655, to adjust sick leave of state police injured in line of duty. Referred to Executive Depts., Municipal & County Governments.

HJR 39, in favor of Anne Plummer of Londonderry. Referred to Banks, Insurance & Claims.

The Message also stated that the House of Representatives has voted to concur with the Senate in its amendments to the following entitled bill:

HB 201, to regulate width of load on passenger type motor vehicles.

The Message also stated that the House has voted to accede to the request of the Senate for a Committee of Conference on the following Concurrent Resolution:

Concurrent Resolution regarding an amendment to the Constitution pertaining to the offering of prayer in public schools and other public places.

The Speaker has appointed as members of said Committee on the part of the House: Representatives Frizzell of Charles-

town; Totman of Alstead; and Normandin of Laconia.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 458, relating to wild bear.

HB 143, to provide for replacing lost hunting and fishing licenses.

HB 303, eliminating the weight limit on taking black bass.

Introduction, First & Second Reading of Senate Bills & Joint Resolutions

SB 126, relating to absentee voting at annual city elections in Berlin. (Lamontagne) Referred to Executive Depts., Municipal & County Governments.

SB 127, to annex part of the city of Berlin to the unincorporated place of Success. (Lamontagne) Referred to Executive Depts., Municipal & County Governments.

SJR 14, in favor of Leon R. Parent. (Lamontagne) Referred to Banks, Insurance & Claims.

On motion of Senator Lamontagne, printing of the above SJR 14 was dispensed with, same printed below:

That there is hereby appropriated the sum of one hundred dollars to be paid to Leon R. Parent of Berlin, New Hampshire on certification by the adjutant general that Mr. Parent would have been entitled to a so-called Korean Bonus under the provisions of Laws of 1955, 286 as amended by Laws of 1957, 5 if he had made timely application therefor which was not done through mistake and inadvertence on his part. The governor is authorized to draw his warrant for the sum hereby appropriated against any monies in the treasury not otherwise appropriated.

SJR 15, in favor of Richard C. Lassar. (Lamontagne) Referred to Banks, Insurance & Claims.

On motion of Senator Lamontagne, the printing of the above SJR 15 was dispensed with, same printed below:

That there is hereby appropriated one hundred dollars to be paid to Richard C. Lessor of Dover, New Hampshire, upon certification by the adjutant general that Mr. Lessor would have been entitled to the so-called Korean Bonus under the provisions of Laws of 1955, 286 as amended by Laws of 1957, 5 if he had made timely application thereof, which he did not do through mistake and inadvertence on his part. The governor is authorized to draw his warrant for the sum hereby appropriated out of any monies in the treasury not otherwise appropriated.

Committee Reports

Senator Provost, for the Committee on Finance: HJR 3, to provide compensation for persons damaged by limitations on signs on interstate highways. Ought to pass.

Senator Howard: "Mr. President, this is to repay people who have taken their signs down on interstate highways at the request of the State Highway Department. There was no opposition."

The joint resolution was ordered to a third reading.

Senator Provost, for the Committee on Finance: HJR 30, in favor of the State of Maine. Ought to pass.

Senator Howard: "Mr. President, this is to repay the State of Maine for proceedings that they have had in an investigation on railroads. We have an agreement that they investigate and we pay them back. There was no opposition."

The joint resolution was ordered to a third reading.

Senator Provost, for the Committee on Finance: SB 35, appropriating funds for the purchase of a truck for the bureau of weights and measures of the division of markets and standards in the department of agriculture. Having considered the same, report the same with the following Resolution: Inexpedient to legislate.

Senator Howard: "Mr. President, this was to replace a truck, but this has been taken care of in the budget, so I would support the Resolution of the Committee: Inexpedient to legislate."

The recommendation of the Committee was adopted.

Senator Provost, for the Committee on Finance: HB 91, to revise the system of filing corporation and trade names with the Secretary of State. Having considered the same, report the same with the following Resolution: Inexpedient to legislate.

Senator Howard: "Mr. President, this is expense to revise the filing system for the above. This has also been taken care of in the budget and charged to their department, so I would support the Resolution of the Committee."

The recommendation of the Committee was adopted.

Senator Provost, for the Committee on Finance: HB 137, to appropriate funds to provide for the completion of payments under the Teachers Retirement System. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

to appropriate funds to provide for continuance
of payments under the Teachers Retirement System.

Amend the first unnumbered paragraph of RSA 192:25 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

192:25 Additional Bonds and Notes. To provide funds for continuance of the payment of the accrued liability contribution of the state not covered by previous appropriations, the sum of one million two hundred thousand dollars, or as much of the sum as from time to time is necessary, is hereby appropriated. The state treasurer is authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding one million two hundred thousand dollars, and for that purpose may issue bonds or notes in the name and on behalf of the state. The bonds or notes issued under this section shall be deemed a pledge of the faith and credit of the state.

Senator Gardner: "Mr. President, I believe we have to do this each session to take care of teachers who were not taken care of before the Teachers Retirement came into effect."

The amendment was adopted, and the bill as amended was ordered to a third reading.

The Chair: "The Chair has requested that the following entitled bill and Committee Report be withdrawn:

"HB 104, to prohibit spillage of loose material and fluids on highways. Ought to pass with amendment."

Without objection, the above entitled bill and report were referred back to the Committee on Public Works & Transportation.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 560, restricting operation of motor vehicles on clam flats. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend RSA 211:62-c as inserted by section 1 of the bill by striking out the last sentence.

Amend the bill by inserting the following new section 2:

2 Enforcement. Amend RSA 249:27-a as inserted by 1959, 306:5 by striking out the same and inserting in place thereof the following: 249:27-a Officials. State and local law enforcement officials are authorized to enforce the provisions of RSA 211:62-c, 211:17-b, and 249:27-b as inserted by Laws of 1965.

Further amend the bill by renumbering section 2 to read section 3.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 288, relating to arrest, detention and arraignment of criminal defendants. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend RSA 594:19-a as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

594:19-a Detention of Person Arrested. (a) On Warrant. Every officer making an arrest or holding a person in custody under a warrant shall take the accused before the court as di-

rected therein without unreasonable delay and shall there detain him for trial or examination until relieved by the court. (b) Without Warrant. An officer arresting a person without a warrant shall without unreasonable delay take him before the court to answer a complaint for the offense.

The Senate voted to concur in adoption of amendment offered by the Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 330, relating to the licensing of child-caring agencies and the establishment of an advisory committee. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Definition. Amend RSA 170:2 as amended by 1957, 116:2; 1961, 135:1; 222:1 and 1963, 40:1 by striking out the section and inserting in its

Amend section 2 of the bill by striking out the first three lines and inserting in place thereof the following:

2 Advisory Committee. Amend RSA 170 by inserting after section 170:2 as inserted by this act the following new section:

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 143, An Act to provide for replacing lost hunting and fishing licenses.

HB 303, An Act eliminating the weight limit on taking black bass.

HB 357, An Act increasing the salary of the county commissioners of Coos county.

HB 458, An Act relating to wild bear.

HB 702, An Act legalizing the proceedings of the annual school district meeting of the Rye School District.

SB 68, An Act increasing the amount of pension towns may grant to certain firemen, police officers, or constables.

HB 275, An Act relative to open season for taking hares and rabbits.

HB 314, An Act relating to the report of income by certain county officers.

SB 20, An Act relating to administrative committee of the district and municipal courts.

SB 26, An Act changing the date of primary elections in the city of Manchester.

SB 39, An Act relative to the salary of special justices of the Hanover District Court.

SB 69, An Act relating to summary judgment.

HB 281, An Act relative to the definition of game birds.

HB 415, An Act to prohibit obscenity.

HB 427, An Act extending the time during which an act relative to a certain bridge over the Merrimack River shall be effective.

HB 445, An Act relative to the throwing, depositing and dumping of refuse on private land.

HB 581, An Act relative to sewage disposal systems on islands.

HB 582, An Act to allow school building aid use of existing buildings in area schools and for acquisition of sites in anticipation of building schools.

Eda C. Martin
For the Committee

The report was accepted.

Special Order of Business for 11:01

Senator Foley called for the Special Order.

It being: Consideration of Committee Report: Ought to pass on the following entitled bill:

SB 105, raising the minimum age for the holding of a license to operate a motor vehicle to eighteen and providing for exceptions thereto.

The bill was ordered to a third reading.

Special Order of Business for 11:02

Senator Buchanan called for the Special Order.

It being: Consideration of Committee Report: Ought to pass with amendment on the following entitled bill:

SB 71, establishing a new positions committee relative to the classified service.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Committee Established. Amend RSA 98 by inserting after section 17-b as inserted by 1963, 11:1 the following new section: 98:17-c New Positions Committee. There is hereby established a new positions committee of five members, no more than three of whom shall be of the same political party. Three members shall be from the house of representatives appointed by the speaker with the approval of the house and two members shall be from the senate appointed by the president with the approval of the senate. Members of the committee shall be appointed prior to adjournment of the regular biennial sessions of the legislature and shall hold office from the date of their appointment until their successors are appointed. Any vacancy arising in the membership at any time shall be filled by the speaker or president as the case may be. The committee shall elect one of its members chairman and shall meet at the call of the chairman, or a majority of the committee, as often as is required. A quorum shall consist of three members. It shall be the duties of the committee to consider all requests for new positions and to make recommendations and findings as provided in section 17-a of this chapter both during sessions of the legislature and when the legislature is not in session.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Takes Effect. This act shall take effect upon its passage.

Senator Foley: "Mr. President, I rise as the member of the committee who originally intended to file a minority report. Usually when bills are filed in the Legislature, they are proposed either to create a new service or to correct deficiencies in the present service. This Bill, Senate Bill 71, does not really establish a new positions committee. The State of New Hampshire already has such a committee, tho not by statute . . . this bill changes the personnel who make up this committee . . . so, in actuality, we haven't created a new service.

"Perhaps then, this bill, with its new personnel, would correct deficiencies in the present service. Did the present committee members neglect their job? Were they found to be politically inspired? Were they found guilty of malfeasance? I have yet to hear a complaint and certainly, if there had been complaints, they would have been brought out at the hearing. In fact, only one person spoke at the hearing. The present positions committee consists of the State Personnel Director, the Comptroller, and the Governor's Administrative Aide. The Director of Personnel, his place on the committee should be obvious to everyone as he handles all applications for state work and his job is personnel; the Comptroller, he can ascertain the monetary problem in all questions of hiring, he is essential. Certainly, on all new positions problems, the Governor, no matter which political party, should know the actions of this committee — and this is where the Governor's Assistant comes in. I feel that this is a fair committee, certainly it has its checks and balances.

"This committee is located in toto at the State House or Annex. At times, when it has been determined that an emergency exists, an emergency meeting can and has been held up to 10 A.M. when the Governor and Council meet. Department Heads know that new positions must be approved by the Legislature. When we are in session, this is the time to request these new positions. However, should emergencies arise — perhaps unforeseen federal funds for which additional help must be hired, or some other emergency the committee appraises the emergency and approves it if they feel it is expedient.

"In place of this committee will be five members, three and two, dominated by the majority party of the legislature, and, incidentally, this was an amendment. Originally as the bill was

written, the committee could have been composed of all five of the same majority party. If Senate Bill 71 is passed, this new committee could change, majority-wise, with each election. In fact, its members could all change with each election. No one is invincible or unbeatable and we could conceivably come up with a new board, new majority, all different members with each legislature. I do not believe that this makes for efficiency. No doubt, in order to know what they are doing, I will predict that should this bill pass, the Committee would call in the Comptroller for attendance at their meetings and also the Personnel Director, for their knowledge and advice.

"I investigated the committee at some length following the hearing. The committee does not go wild between sessions creating new jobs. During the last interim, according to our Journal of January 19, no new permanent positions were established, but 136 temporary positions were extended beyond a one year period by the Governor and Council. For the most part, departments are asking that they be continued on a permanent basis for the next biennium. The Highway Department, which certainly makes use of this committee, stated that there was never any delay in any request which they had made. Requests were never granted indiscriminately. This committee has acted beyond reproach. Consequently, I do not think that this bill will correct deficiencies. No one has proved that any deficiencies exist.

"The legislature zealously guard their rights and privileges. This year they have killed bills which might delegate even a small portion of their authority or power; for example, bills concerning Fish and Game and Education. In these and other instances, the big cry was, we will be relinquishing our power, yet here we are suddenly attempting to take away authority which rightfully belongs to the Executive Department, and give it to the legislative branch.

"We have plenty of work, plenty of committees and interim commissions, study groups, plenty of less orthodox groups meeting and solving all of the state's problems, without the legislative branch deciding to go into the positions field. And, by the way, all reclassifications and reallocations of positions would come under the committee. If we are trying to keep politics out of state employees positions, we are not helping this cause. Our duty is to provide appropriations, we surely have problems

in this area. Witness the two hearings we had last week. My father used to sing a song — Honey, stay in your own back yard. I say, Senate and House — stay in your own legislative yard. We have so much to do without seeking new fields to conquer. Our own problems are many, so many we are here for four days now trying to find our way through the maze. I hope that you will look in a non-partisan way at this Senate Bill.”

Senator Buchanan: “Mr. President, I rise in support of the amendment and in opposition to the words of Senator Foley. The Majority of our Committee concurs with the purpose of this bill and with the establishment of the Legislative Committee as outlined in the bill and urge its adoption. The reference is to RSA 98, 17A. I agree with what Senator Foley says that the Legislative branch performs its functions and the Executive branch performs its functions. I learned in the Army that you can delegate authority, but you cannot delegate responsibility. We are assuming the responsibility for setting up this committee between sessions. Then the Legislature, by Committee, should do this between sessions just as though the Legislature was in session at all times.

“Senate Bill No. 71 defines in statutory terms an arrangement which has been in effect in state government since 1951.

“For purposes of explanation, there is currently a new positions committee consisting of the Governor’s Administrative Assistant, the Comptroller and the Personnel Director. This committee considers the necessity for positions arising between sessions of the Legislature. Under existing provisions of statute, the reclassification and reallocation of positions to a different class under RSA 98:17-a are considered new positions. Between the last session of the General Court and the current one, one hundred thirty-six new positions were established and the total annual cost of sustaining these jobs appears to be \$513,508.82. The new positions committee considers requests of departments and makes recommendations to the Governor and Council.

“Testimony on this legislation would appear to indicate that the establishment of new positions is the function of the General Court whether in session or between sessions. This bill provides for the new positions committee to be set up statutorily and comprised of members of the General Court. The testimony of witnesses indicated that there will always

be requests for new positions necessitated by (1) changes in the federal law in those agencies participating in grant-in-aid programs and (2) other departments undergoing changes in activities brought on by emergencies which could not be foreseen when the Legislature was in session.

"Therefore, my committee concurs with the establishment of a legislative committee to review departmental requests for new positions as outlined in Senate Bill 71 and recommends its adoption by the Senate."

Senator Martel: "Mr. President, I speak in opposition to the Committee Report and dispute the information which has been imparted to me by Senators Foley and Buchanan. I am just looking at the overall situation. We are only going to prolong the agony after this session that has been apparent all during this session. Five members—three of one Party and two of the other. Majority in the Legislature of one Party and the administration of the other Party. I am convinced if the majority of the Legislature was of the same Party as the administration, this question would not be raised. There is merit in the remarks of both Senator Foley and Buchanan, but I am wholeheartedly against this bill."

Senator Blaisdell: "Mr. President, when I was in the service—I was in the Navy—and they never told me anything like that. I rise in opposition—I believe that it takes authority from the Executive branch."

Senator Rinden inquired: "Would this proposal permit the employment of a stenographer to take care of work between sessions?"

Senator Buchanan: "I do not have the answer. Perhaps the President or the Clerk can tell me that."

Senator Rinden: "I made that inquiry only as recently as yesterday and I understand that there is no general stenographic service between sessions and I thought that perhaps this proposal of Senator Buchanan would be an admirable solution to that problem. These Senators do not get paid very much, but we do have to work for a two year period, session or no session."

Senator Riley: "Mr. President, I would like to echo the remarks of Senator Martel. I believe that this is just political motivated legislation and not necessary."

Senator Lamontagne: "Mr. President, I feel that Senator Rinden has brought out a good point and I think this matter should be looked into. I would move that SB 71 be made a Special Order of Business for tomorrow morning at 11:01."

Senator Foley: "Mr. President, I was in the Army too and maybe by tomorrow I can think up a real good answer to Senator Buchanan."

Senator Gardner: "Mr. President, I have never served in the Army, but this Committee was created by the Legislature. We know that there are many positions considered in the off year of the Legislature and we feel that the Legislature should be the one as it is a legislative duty to consider positions, and we feel that it should be comprised of the legislators. I have never objected to its being bi-partisan."

Senator English: "Mr. President, I do not find the necessity to postpone this matter. If the Senate has to have assistance when the Legislature is not in session—that is a separate subject and has no connection with this bill, as far as I am concerned."

Senator Lamontagne: "I disagree with the Senator from the 11th District. I feel that if this is going to go on, we ought to do something about it."

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

Senator Lamontagne: "Mr. President, I withdraw my motion for Special Order of Business for tomorrow at 11:01. I have been assured that what I was worried about has been taken care of. The question was not involved in this bill."

Question being on adoption of amendment offered by the Committee.

On this question, Senator Martel demanded a Roll Call.

Senator Martel withdrew his demand for a Roll Call.

On a *viva voce* vote, the amendment offered by the Committee was adopted.

Senator Foley moved that this bill with amendment be indefinitely postponed.

Senator Buchanan: "Mr. President, the President has asked me to explain the reason for the apparent confusion. In last Wednesday's Journal, it was stated that the bill was being reported as ought to pass. I knew and everybody on the Committee knew that there would be a Minority Report of Inexpedient to legislate. Some place between the stenographer's office and the print shop, the slug—Minority: Inexpedient to legislate, was lost. On Thursday morning, Senator Foley requested the Minority Report, and it was made a Special Order for to-day. But the Chair was not aware of the fact that a Minority Report was going to be offered. That is the reason that the motion was not made at the beginning of Senator Foley's remarks."

Senator Lamontagne: "Mr. President, I would explain that I talked with Senator Foley and she had changed her mind and did not wish to substitute the Minority Report for that of the Majority, but wished to move to indefinitely postpone."

Question being on motion of Senator Foley that this bill with amendment be indefinitely postponed.

On this question, Senator Martel demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Lamontagne, Blaisdell, Riley, Martel, Provost, Bergeron and Foley.

The following named Senators voted in the negative: Martin, Mitchell, Gardner, Howard, Saggiotes, Gove, English, Buchanan, Rinden, Green, Waterhouse, O'Gara, Tufts and Hunter.

Seven Senators having voted in the affirmative, and fourteen Senators having voted in the negative, the negative prevailed, and the motion did not carry.

The bill as amended was ordered to a third reading.

Introduction of Guest

As the guest of Senator Green and the entire Senate, the former Senator from the 8th District, Mrs. Marion Phillips of Claremont.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills & Joint Resolutions

SB 71, establishing a new positions committee relative to the classification service.

SB 105, raising the minimum age for the holding of a license to operate a motor vehicle to eighteen and providing for exceptions thereto.

HJR 3, to provide compensation for persons damaged by limitations on signs on interstate highways.

HJR 30, in favor of the State of Maine.

HB 137, to appropriate funds to provide for continuance of payments under the Teachers Retirement System.

Senator Lamontagne: "Mr. President, I have just talked over this problem and the request that I am making at the present time is unusual. I have introduced a bill today to change the boundary lines to put part of the land of Berlin into the unincorporated town of Success. The Mayor and Council are in opposition to this type of legislation, but I have introduced this bill by request (sponsored by the Brown Company). I would like to see a public hearing held in Berlin. But seeing that this is a local problem, I would hope that we might have the permission of the Executive Depts. Committee to hold a public hearing and see if we can iron out our troubles in Berlin instead of bringing them down here to Concord. This meeting will be recorded by a tape recorder and the Committee on Executive Depts. will have it for their benefit."

Senator Buchanan: "I was just going to say that the Committee has absolutely no objection to that arrangement, and in view of the time element, it would seem a little awkward to have our Committee go to Berlin, no matter how worthwhile the cause."

Senator Lamontagne: "That is the reason that I have requested this special privilege because we are getting to the close of the session. The Berlin Tax Payers Association are in favor,

but the Mayor and Council are against this bill. That is why I feel that this is a local affair and should be ironed out in Berlin."

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

Senator English: "I would like to make a motion that Senator Lamontagne be authorized to hold this hearing in Berlin and that a suitable record of the meeting be brought back to the Committee."

The motion carried.

On motion of Senator Gardner, the Senate adjourned at 12:30 p.m.

WEDNESDAY, June 9, 1965

The Senate met according to adjournment.

Senator Mitchell, District No. 3, presiding.

A quorum was present.

Introduction of Guests

As the guests of Senator Gove, his daughter Margaret, and Robert Purcell from Arlington, Virginia.

As the guest of Senator Riley, Mr. George Gauthier of Goffstown. Mr. Gauthier is Treasurer of the Hillsborough County Democratic Committee and Secretary of the Goffstown Democratic Town Committee.

Senator Howard stated that Mr. Gauthier had been in Franklin for a good many years and was a good friend of his.

House Message — First & Second Reading of Bills

HB 229, relative to time for taking deer. Referred to Fisheries & Game.

HB 448, relating to the custody and escheat of unclaimed and abandoned property. Referred to Judiciary.

HB 619, relative to hawkers and peddlers at veterans' meetings or conventions. Referred to Military & Veterans' Affairs.

HB 633, to clarify the procedure for the delivery of absentee ballots to the moderator. Referred to Executive Depts., Municipal & County Governments.

HB 244, to increase the powers of Franklin Pierce College and Belknap College. Referred to Education.

HB 689, changing the name of New Hampton Village Fire Precinct to New Hampton Village Precinct. Referred to Executive Depts., Municipal & County Governments.

HB 501, to change the qualifications for licensing of a barber. Referred to Public Health, Welfare & State Institutions.

HB 508, to raise the fees charged for registration or licensing of a barber. Referred to Public Health, Welfare & State Institutions.

The Message also stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills:

HB 399, relating to investments of savings banks.

HB 197, relative to credit unions.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 86, changing part of the boundary line between the towns of Auburn and Hooksett.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

SB 2, relative to unit ownership of real property.

HB 365, to increase transfer fees on automobiles.

HB 590, to disregard certain earned income on old age assistance.

HB 356, relating to refunds on tax abatements.

HB 144, relative to Class III recreational roads.

The Message also stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 201, to regulate width of load on passenger type motor vehicles.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Passenger Vehicles, Width of Load Limited. Amend RSA 263 by inserting after section 65-b (supp) as inserted by 1957, 38:1 the following new section:

On motion of Senator Blaisdell, the Senate voted to concur.

HB 400, relative to the salary of the sheriff and appointment of a salaried deputy sheriff of Sullivan County.

Amend paragraph I of RSA 104:29 as inserted by section 1 of this bill by striking out lines three, four, five, six and seven and inserting in place thereof the following:

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, two thousand four hundred dollars.

In Cheshire, fifteen hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, two thousand dollars.

On motion of Senator Blaisdell, the Senate voted to concur.

HB 626, relative to voting for school board members in the Newfound Area School District.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relative to voting for school board members and officers in the Newfound Area School District.

Amend section 1 of the bill by striking out the first four lines and inserting in place thereof the following:

1 Election of School Board. Members of the school board of the cooperative school district established pursuant to authority granted by Laws 1963, chapter 394 as amended by 1963, 399 and called the Newfound Area

Amend section 2 of the bill by striking out lines thirteen and fourteen and inserting in place thereof the following:

on the town ballot, to be voted for at the annual town meetings. The town election officials of each

On motion of Senator Blaisdell, the Senate voted to concur.

Committee Reports

Senator Lamontagne, for the Committee on Ways & Means: HB 169, to increase the public revenue from the tax on beer and other malt beverages. Ought to pass.

Senator Waterhouse: "Mr. President, I move that HB 169 be indefinitely postponed. Though the vote was four to two in Committee, it was most unenthusiastic and apparently not their true desire.

"Mr. President, in our desire to raise new taxes, for whatever purpose, it is my opinion that we think of the product or item to be taxed without due regard to the consumers' ability to pay. While we throw up our hands in horror at the thought of a general sales tax, we feel no compunction at imposing a sales tax on special items to be paid by those least able to afford them. The working man and woman, whose social life consists of a Friday or Saturday night at the club, are to be hit again, with a punitive beer tax. These people are not consuming cocktails that cost seventy-five cents to a dollar each. These people can only consume ten-cent glasses of beer that will only amount to a dollar or two at the end of their evening out to escape the hum-drum monotony of everyday life. If this tax is passed, either the size of the glass is decreased or the price increased, making it more difficult for them to enjoy this simple pleasure. While I cannot speak for those within hearing of my voice, I personally will not contribute one red cent towards this tax, simply because I don't care for beer. I also feel the tax, as is, is heavy enough for those who do.

"It is said by some that tobacco in any form, *and beer*, should be looked upon as a luxury and a voluntary form of taxation. Mr. President, I submit that this is absolutely untrue. We are all creatures of habit. Among the middle and lower income groups, these habits constitute their only pleasure and are therefore a captive group which we take fullest advantage of because these habits are hardest to break.

"A coalition of the leadership of both parties, whose prime purpose in this session of the legislature is to impose taxes, leaves the taxpayer bewildered, with no place to turn except to those of us who know, and understand, the predicament they are in.

"The ever-increasing cost of living places a heavy burden on the lower income group. Potatoes, an everyday staple, cost a dollar or more for ten pounds, a head of lettuce forty-nine cents. Regardless of the struggle these people have in their everyday life, we are, apparently, willing to impose another tax on their habits and whatever small pleasure they may hope for in life.

"I would suggest we search our conscience and ponder the question of imposing taxes on the low income group which many of us will not participate in, until the tax structure of the State of New Hampshire is completely overhauled, with the working man and woman in mind. They will bear the heaviest burden of taxation, in the form of numerous so-called penny increases in the things they find pleasure in. This will continue far in the future and will eventually cost them more than a general sales tax would cost them and in which we would all participate. Politics, being what they are, it will take big men, and big thinking, with plenty of intestinal fortitude, to withstand editorials, etc., but the day will come. Meanwhile, the middle and lower income groups must stand the brunt of selective taxation. I urge my colleagues to indefinitely postpone this bill."

Senator Lamprey: "Mr. President, I rise in opposition to the motion now pending before the Senate that this bill be indefinitely postponed. You cannot sit on the Finance Committee, for instance, and I know that each and every member of this Senate is well aware that if we are to extend services, if we are to give the state employees increases in wages, etc., that we must raise the money. It must come from some place. The Governor, in his wisdom, made some recommendation as to how

money should be raised and in this instance, I support wholeheartedly the small increase in the beer tax. This increase amounts to $1\frac{1}{4}$ cents on a 6 pack. I think the store owner may actually benefit from this because obviously he is not going to short change himself by $\frac{1}{4}$ of a cent. He is going to increase the price to 2 cents, thereby making a profit of $\frac{3}{4}$ of a cent. Therefore, it is not going to hurt the small store owner. It is a decimal point on a barrel of beer, this regressive tax that we are about to enact, I think. Also, I would like to state that the activities of the lobby that have been working so diligently to defeat the increase has defeated its own end. This was ironically shown in the House where these activities were carried on for a long period of time, but the vote came down to the number of seventy-two. Now they have a club in the House called the 72 Club. Therefore, in the interest of increasing services to the people of the State, I hope that the Senate will support the beer tax by this very small and minute increase."

Senator Waterhouse: "Senator Lamprey points out that the grocer might benefit by going up 2 cents. If all the beer in New Hampshire was sold in 6 packs, this would not be too much of a problem, but what about the cases—the grocer is not going to do this. An increase like this could be disastrous in this State. Michigan passed the beer tax in 1962, and had the tax lowered in this session. I caution the Senate that we are not going to benefit."

Senator Saggiotes: "Mr. President, I rise in opposition to HB 169. I am speaking for a very large number of people in Senate District No. 8 who have petitioned me to oppose this bill and present their arguments which I am in full accord with.

"Most of these people are low wage earners that work in textile mills, shoe factories, and machine shops. There are others who own and operate neighborhood grocery stores. Their views are shared by some of their employees.

"Statistics I shall not bore you with, as you have already heard many, which undisputedly show that the passage of this bill would result in loss of income and a decrease in employment in the beer business and other trades related to it.

"These people want to know why *they* should be selected and singled out to take losses in their incomes. They want to know why we should pass legislation to increase the tax on beer

when we *know* that the record shows, without exception, that where higher beer taxes have been imposed, the results have created an undue hardship.

"If it is additional revenue that we are seeking, then let us obtain it in a responsible manner."

Senator Martel: "Mr. President, I rise in opposition to the pending motion and in favor of the bill. I believe that there has been no increase in the tax on beer for over a quarter of a century, if I am correct in stating this. I see no reason why we should not increase this tax today. You have heard Senator Lamprey state that we have agreed to a substantial increase in the pay of the state employees. We had to get money to pay these people and once again, the only way to pay these people is from taxes. I do not like taxes and I know that many of my constituents back home do not want taxes, but as long as they want services, they must have taxes. Over the years, I have voted against taxes. Does anyone have a cure for all this? How do we pay for services without getting money? Perhaps it might be well to have a commission and see what could be done to cut down unnecessary expenses. But, as you and I know, we must help those in the State Hospital and help those less fortunate than we are, and to do this, we need money. . . . If my constituents wish to put someone else in my place—that is their privilege. I support the bill wholeheartedly."

Senator Waterhouse: "Mr. President, I have heard a lot about 1 cent increase—1¼ cents on a 6 pack. Let me remind those in this Honorable body that the tax in Massachusetts on a barrel is \$2. At the present time, in New Hampshire, it is \$3. If this tax goes through, it is going to be \$3.72. Now today, reference was made to the state employees, etc. That is probably a little hit toward me as I have two sons employed by the state. Yesterday it was education. Tomorrow it will be something else. It has been said that this will raise \$600,000, but I doubt that this will bring in \$200,000. The only way that we are going to solve the problem in this state is to pass something that we will all pay the tax on and not only members of the low income group."

Senator Martel: "Mr. President, I drink beer and I like it and I can assure you that this tax is not going to deter me from drinking this beer."

Senator Lamprey: "I just wish to assure Senator Waterhouse that I was not hitting at him as being the father of two state employees. I was speaking generally of the state family and not any individual."

Senator Bergeron: "Mr. President, I think we are all aware of the new listings from the Liquor Commission—the price has dropped as much as 20 cents a bottle, in some cases. We had that revenue and gave it up. At \$3.72 against Massachusetts' price of \$2., we are going to hurt our sales and it hurts along our border."

Question being on motion to indefinitely postpone.

On this question, Senator Provost demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Lamontagne, Mitchell, Saggiotes, Green, Provost, Waterhouse and Bergeron.

The following named Senators voted in the negative: Martin, Lamprey, Johnson, Gardner, Howard, Gove, Blaisdell, English, Buchanan, Riley, Rinden, Martel, O'Gara, Tufts, Hunter and Foley.

Seven Senators having voted in the affirmative and sixteen Senators having voted in the negative, the negative prevailed, and the motion to indefinitely postpone was lost.

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Ways & Means: SB 79, relative to grants in aid to cities and towns in lieu of taxes on state property. Majority: Ought to pass with amendment — Minority: Inexpedient to legislate.

On motion of Senator Lamontagne, further consideration of the above entitled bill and committee report was made a Special Order of Business for tomorrow morning at 11:01. (Because of the fact that the proposed amendment was not printed in the Journal)

Senator Riley, for the Committee on Judiciary: SB 120, relative to offensive advertising which can be viewed from a public highway. Ought to pass.

Senator Riley: "Mr. President, this bill is aimed at a group that we have in Hooksett, but I am sure that it is prevalent in other communities throughout the state. We have been plagued in the town of Hooksett by having many ads of the distasteful movies shown in our community. Sometimes the movies are not too offensive, but the titles are used to lure certain people in that they are rather sexy in nature. The Women's Club in Hooksett has tried to do something about this and also the Selectmen have been to the operator to show a better class of movies, without too much success. I feel further that this was an imposition to the people on the main highway to see some of these very offensive titles. Advertising of this nature is degrading to the town. I understand that Bedford has the same problem. Also, in Manchester. I hope that the Senate will concur and pass this legislation."

Senator Martel spoke in support of the bill.

The bill was ordered to a third reading.

Senator Saggiotes, for the Committee on Labor.

HB 418, relating to calculation of annual and sick leave of state employees. Ought to pass.

Senator Saggiotes: "HB 418 is a housekeeping bill to correct two inequities in our present statutes affecting classified State employees.

"The Legislature in 1963 passed HB 532 providing certain recognition and benefits for certain seasonal employees.

"After the General Court had adjourned for the year, the Attorney General's Office was asked by the Personnel Department to render an opinion on the new law. The Deputy Attorney General at the time, Elmer Bourque gave an opinion which left no doubt as to the intent of the new statutes. Shortly afterward, Mr. Bourque resigned from State service to go into private practice.

"The Racing Commission requested that a review be made of the opinion submitted by Mr. Bourque.

"The new ruling by the Attorney General's Office reversed Mr. Bourque's opinion and consequently invalidated the law for all practical intent.

"To correct this situation two laws had to be amended. This is what HB 418 accomplishes if passed.

"The first section clarifies the intent of the law passed in 1963 affecting Seasonal Employees.

"The second section of the bill is clarified by the amendment which was submitted at the hearing before the House Committee on Labor.

"At the present time if a classified State employee has a regular weekly schedule of $5\frac{1}{2}$ or 6 days per week, the half day or full day worked beyond 5 days is considered as overtime, so that the employee affected loses four or eight hours of pay per week if he takes annual or sick leave. There was no opposition at the hearing of this bill."

The bill was ordered to a third reading.

Introduction of Guests

As the guests of Senator Bergeron, Mr. Richard Smith of Rochester with a group of ten delegates to Boys' State who will be at the University of New Hampshire in Durham from June 27 to July 3rd.

Committee Reports (continued)

Senator Blaisdell, for the Committee on Fisheries & Game:

HB 276, providing for an open season on fisher. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Fisher. Amend RSA 210:3-a, as amended by 1961, 147:2 and 1963, 154:1 by striking out the section and inserting in its place the following:

210:3-a Open Season. Fisher may be taken and possessed from October 20 to February 1 by the use of dogs, guns, and traps in the counties of Carroll and Grafton and in all other counties of the State, except Coos where *no* fisher may be taken without a request in writing by the officers of a town or other political subdivision to open a special area and only when a majority agreement of the Fish and Game Commission and that of the Director can be procured and their signatures obtained

on the Certificate of Permission which will delineate the intended area. Fisher may be taken and possessed in like manner from November 1 to February 1. All fisher skins shall be sealed within ten days after the close of the season in the same manner as outlined in section 3 of this chapter. Whoever violates the provisions of this section shall be fined not less than ten dollars for the first and not more than fifty dollars for each additional fisher taken and possessed in violation of this section.

Amend RSA 90-A:1 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

90-A:1 Appraisal of Land Value. On or before April 1 of each year the state tax commission shall determine the value of all land owned by the state except that used for state highways and that acquired for public recreational or park purposes and land held by the state for operation and development as state forest land. The Commission shall not consider the value of buildings, structures or other improvements in or upon the land in determining such valuation. The commission may employ the necessary assistants to make such appraisals and subject to the approval of the governor and council, fix the salaries. The cost thereof shall be paid from funds not otherwise appropriated.

Further amend the bill by inserting the following new section 2.

2 Appropriation. The sum of twenty thousand dollars is hereby appropriated for the payment of all necessary expenses of making the appraisal, including the payment of the salaries of the assistants employed, provided for by this act. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend the bill by inserting the following new section 3.

3 Legislative Council. This bill, in addition to the studies to be made by the tax commission, shall also be considered by the Legislative Council who shall report to the next session of the Legislature.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

4 Effective Date. This act takes effect July 1, 1965. No payments will be made to towns or cities until December 1, 1967 for the tax year 1967.

On motion of Senator Blaisdell, reading of the amendment was dispensed with, same having been printed on page 1003 of the Journal.

Senator Blaisdell stated that he would yield to Senator Hunter.

Senator Hunter: "Mr. President, this is a very interesting bill and I am sure that a great many people want to have a word on it. It has had two weeks of consideration by the Committee. I was asked if I could not write an amendment closer to the needs of everybody, particularly those in the northern part of the state. The fisher cat somewhat resembles a weasel—of economy size. It is quite destructive to small animals, particularly to squirrels and house cats. . . . I believe the amendment is the best that we can come up with."

Senator Johnson: "Mr. President, I have had many requests from Grafton County concerning the fisher cat. But having talked with Senator Mitchell and Senator Martin, I feel that at least the Grafton County Senators are at odds on this request. I have discussed this with Senator Hunter — he tells me that all this has been considered but they feel that fisher cats must go in Grafton County."

(Discussion ensued)

Senator Lamontagne moved that further consideration of this bill and report be made a Special Order of Business for 11:01 on Tuesday next, and spoke in support.

Senator Hunter spoke against the motion and stated that he felt that the amendment covered the situation and would give all the protection required by Coos County.

Senator Riley spoke against the motion and stated that he believed that Senator Lamontagne's concern was the result of misinformation given him.

Senator Lamontagne withdrew his motion after explanation by Senator Hunter.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator English, for the Committee on Education: HB 215, to amend the law establishing a cooperative school district in the Newfound area. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and substituting in place thereof the following:

1 Revision of Apportionment Formula. Amend Chapter 394 of the Laws of 1963 by striking out Sections 2 and 3 thereof and substituting in place thereof the following:

394:2 Costs of Capital Outlay and Operation. During the first five years after the establishment of such cooperative school district, each pre-existing district shall pay its share of all capital outlay costs and operational costs in accordance with the following formulae:

I. First Year. During the first year after the establishment of such cooperative school district, all capital outlay costs and operational costs shall be apportioned among the pre-existing school districts on the basis of the ratio that the budget for each, for the school year 1963-1964, as certified by the state tax commission, shall bear to the aggregate of the budgets for all of the pre-existing school districts for the said year.

II. Next Four Years. During the next four years thereafter, all such costs shall be apportioned on the basis of the ratio that the average of the annual school tax assessed in each pre-existing district over the five school years immediately preceding July 1, 1964, as determined by the state department of education, bears to the aggregate of such average annual school tax assessments for all the pre-existing school districts over the same years. This will result in the following: Alexandria 9.89%; Bridgewater 9.59%; Bristol 36.78%; Danbury 9.69%; Groton 2.15%; Hebron 3.75%; New Hampton 28.15%.

394:3 Five-Year Period Reconsideration. After the expiration of the first five years from the establishment of such cooperative school district, and at the expiration of each subsequent five-year period, the basis for apportionment of capital outlay and operational costs shall be subject to review, and the cooperative school district board may then by two-thirds vote of the entire membership of the board modify the method of apportionment prescribed in section 2 II hereof to reflect any increase or decrease in the average daily attendance from each pre-existing school district. Such modification, if voted, shall

be effectuated by adding to or subtracting from the share which would have been apportioned to each several pre-existing school district through the method of apportionment prescribed in section 2 II hereof, an amount which will take into account any change in average daily attendance from such pre-existing district. Provided, that there shall not be apportioned to any pre-existing school district under any such modification an amount in excess of five per cent of the amount which would have been apportioned to such school district under the method of apportionment prescribed in said section 2 II.

2 Takes Effect. This act shall take effect on its passage.

Senator English: "Mr. President, HB 215 has been completely rewritten by the Senate Educational Committee. The reason for this amended Bill is to adjust the apportioning of school expenses between the schools of the Newfound Area School District.

"The Senate held a special hearing on the Bill April 29th and it was apparent that there was important dissatisfaction with the formula set up in this Bill.

"The hearing was lengthy and exhaustive and at the conclusion it was agreed by all those present to have the Senate Committee act as an arbitrary tribunal to iron out differences which could not be resolved by the district itself.

"Acting in this unusual role, the Senate Committee sought the assistance of the State Board of Education and Attorney Fred K. Upton. This procedure was made known to those attending the hearing and was concurred in by them.

"The rewritten Bill bases the apportionment in accordance with what is believed to be a correct interpretation of the Laws of 1963. 394:2. In this, the term 'budget' apparently meant the amount to be raised locally by taxation for the support of the schools rather than the total of the appropriations for school purposes. The latter figure would include not only the local school taxes, but also the other revenues received by the district, including tuition payments from sending districts of the foundation and building aid, and Federal Aid.

"It is noted that two of the pre-existing districts were forced to make deficiency assessments on account of nonrecurring factors. The Newfound School District began operating on

July 1, 1964. We believe that the alteration contained in this Bill should not apply to the first year, but to subsequent years, in which case the five years immediately preceding the establishment of the cooperative district is fairer.

“The Senate will note that this amended Bill will have to go back to the House for concurrence. I understand that the House will carefully review this proposal prior to concurrence.”

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Provost, for the Committee on Finance:

HB 410, providing for recompilation of volume 3 of the Revised Statutes Annotated. Ought to pass.

Senator Lamprey: “Mr. President, this bill allows for the rewriting of volume 3 of the Revised Statutes Annotated. The laws pertaining to motor vehicles are included in this particular issue. They have only issued supplements since 1958 under RSA and it is getting large and unwieldy to work with and the supreme court through Judge Keniston made an appeal yesterday before the Senate Finance Committee to have this split. The cost is \$16,500 and is the approximate cost as last session when RSA volume 2 was split.”

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance:

HB 23, to provide additional retirement to retired members of the policemen's retirement system. Ought to pass.

Senator Lamprey: “Mr. President, this bill was introduced because the retirement system must be and can only be voted for a one year period. Therefore, this gives the policemen who retired earlier under the system at least \$100 a month. This is a decreasing appropriation—originally started with \$10,000 and now it is down to some \$3,000.”

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance:

HB 49, to increase the limit of outstanding borrowing by the state. Ought to pass.

Senator Lamprey: "Mr. President, this bill pertains to just what the title indicates. Increase the amount of short term notes up to 10 million. At the present time, the limit is 3 million. The State Treasurer appeared yesterday and explained that with the increase in the budget, etc. it was necessary for this increase, and the Committee supports the Treasurer's request."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Banks, Insurance & Claims:

SJR 13, in favor of Leonard B. Greene. Ought to pass.

Senator Buchanan: "Mr. President, this is the joint resolution in which the state of New Hampshire has already gained a great deal of publicity by a metropolitan press. This is the joint resolution that Senator Bergeron introduced. In short, this covers the claim of a gentleman who was coming to the racetrack against his wife's wishes. . . . The only way that the winnings can be paid to the winner is by an act of the Legislature. Senator Bergeron appeared before the Committee and had the tickets in his possession. There was no opposition. The feeling in the Committee was that it was a matter of good faith and good public relations that this joint resolution should be enacted and that the state should be directed to pay the amount of money to the winner. The state did get a good deal of publicity and a good feeling of public relations will be gained by the passage of this joint resolution."

The joint resolution was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 144, An Act relative to Class III recreational roads.

HB 356, An Act relating to refunds on tax abatements.

HB 365, An Act to increase transfer fees on automobiles.

HB 590, An Act to disregard certain earned income in old age assistance.

Eda Martin
For the Committee.

The report was accepted.

Senator Lamprey presiding.

On motion of Senator Buchanan, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills and Joint Resolution

SB 120, relative to offensive advertising which can be viewed from a public highway.

SJR 13, in favor of Leonard B. Greene.

HB 23, to provide additional retirement to retired members of the policemen's retirement system.

HB 49, to increase the limit of outstanding borrowing by the state.

HB 215, to amend the law establishing a cooperative school district in the Newfound area.

HB 276, providing for an open season on fisher.

HB 410, providing for recompilation of volume 3 of the Revised Statutes Annotated.

HB 418, relating to calculation of annual and sick leave of state employees.

HB 169, to increase the public revenue from the tax on beer and other malt beverages.

On motion of Senator Howard, the Senate refused to reconsider its vote whereby it passed HB 169, above.

On motion of Senator Martin, the Senate adjourned at 12:50 p.m.

THURSDAY, June 10, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Gardner, the following pupils of the three 4th grades from the Gilford School, accompanied by the following teachers, Mrs. Richard I. Bowe, Jr., Mrs. Edgar Kenny, Mrs. William Johnson, and chaperones Mrs. Charles Monahan, Mrs. Alex Shigo, Mrs. Richard Campbell, Mrs. John Goddard, Jr. and Mrs. Stanley Whitney: Susan Bartlett, Bryan Berling, Thomas Burgess, Mary Campbell, Margo Corriveau, Barbara Donaldson, Dennis Fogg, David Frost, Darlene Gardner, Jeffrey Gebhard, Wendy Goddard, Bruce Goodwin, Richard Grant, Cheri Greene, Cathie Inglis, Charles Kimball, Kenneth Lord, Eric Norton, Nancy Pratt, Eric Swett.

Norman Aldrich, Barbara Bishop, Elizabeth Bruce, Thomas DiCampo, Steven Gardner, Mark Gilman, Mae Haskell, James Hjermstad, Nancy Keith, Geoffrey Kidd, Michael Kirk, Susan Peters, Sharon Pilliod, John Richards, Charles Tobey, Christopher White, S. Warren Whitney, Suzanne Wiley, Kathryn Williams, Nancy York.

Steven Breton, Glen DeHart, Todd Frazier, Laurie Greenwood, David Hart, Chase Kling, Stephen Kolb, John Lyman, Beth Marquis, Charles Monahan, Carol Needham, Paula Nichols, Anne Schuster, Linette Seigars, Judy Shigo, Steven Simoneau, Roger Weeks, Robert Crutcher, Gary Kuball.

House Message — First & Second Reading of Bills

HB 389, to provide for the use of distinctive flags or distress signals by handicapped or paraplegic operators of motor vehicles. Referred to Public Works & Transportation.

HB 394, to require registers of probate to notify registers of deeds of death of person owning real estate in the state. Referred to Executive Depts., Municipal & County Governments.

HB 572, relative to the vehicle equipment safety compact. Referred to Public Works & Transportation.

HB 579, increasing penalties for violations of rules and regulations at state forests and reservations. Referred to Resources, Recreation & Development.

HB 613, relative to town appropriations for railroad passenger service. Referred to Executive Depts., Municipal & County Governments.

HB 625, relating to operators' and chauffeurs' licenses, the age of school bus operators, and conduct after a motor vehicle accident. Referred to Public Works & Transportation.

HB 673, legalizing the proceedings at town meetings March 12, 1963, March 9, 1964, and June 24, 1964, in the town of Lincoln. Referred to Executive Depts., Municipal & County Governments.

The Message also stated that the House of Representatives has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills, to the following entitled bills:

HB 288, relating to arrest, detention and arraignment of criminal defendants.

HB 330, relating to the licensing of child-caring agencies and the establishment of an advisory committee.

HB 560, restricting operation of motor vehicles on clam flats.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill, sent down from the Senate:

HB 137, to appropriate funds to provide for continuance of payments under the Teachers Retirement System.

The Message also stated that the House has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution relating to limited accommodations for trailers at White Lake State Park.

Whereas, there is a rapidly growing trend to camping by trailers, and

Whereas, larger numbers of trailers are used by campers coming to New Hampshire, and

Whereas, there are presently limited accommodations for trailers at White Lake State Park, and trailers are constantly being turned away for lack of space, now, therefore, be it

Resolved, by the House of Representatives, the Senate concurring, that the Division of Parks of the Department of Resources and Economic Development be and hereby is advised that it is the consensus of the General Court that immediate consideration be given to provide ample sites suitable for trailer camping at White Lake State Park, and be it further

Resolved, that a copy of this resolution be submitted to the Governor and the Executive Council.

* * *

The Chair referred the above Concurrent Resolution to the Committee on Resources, Recreation & Development.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 57, relative to classification of the permanent positions of senior psychiatrists at the New Hampshire hospital and relative to the power of the Governor and Council to fix salaries of unclassified positions.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to classification of the permanent positions of senior psychiatrists at the New Hampshire hospital and relative to the power of the governor and council to fix salaries of unclassified positions.

Further amend said bill by striking out sections 1, 2 and 3 and by substituting the following new sections:

1 Unclassified State Positions. Amend RSA 94:6 by striking out said section and inserting in place thereof the following: 94:6 New Appointments. In case of a new appointment to fill any vacancy the entrance salary shall be at the minimum of the established range unless, upon recommendation of the appointing authority, the governor and council shall establish, after due and proper investigation as to qualifications, a different entrance salary within the established range.

2 Takes Effect. This act shall take effect as of February 26, 1965.

On motion of Senator Martin, the Senate voted to non-concur in the adoption of the above amendment and request a Committee of Conference.

The Chair announced that he would announce the appointment of the Committee of Conference on the part of the Senate at a later date.

Committee Reports

Senator Provost, for the Committee on Finance: HJR 24, providing funds for the commission on interstate cooperation. Ought to pass.

Senator Martin: "Mr. President, this joint resolution is for the sum of \$500 and is appropriated for the Commission on Interstate Cooperation for expenses for a Conference which was held in the State of New Hampshire in April of 1965."

The joint resolution was ordered to a third reading.

Senator Provost, for the Committee on Finance: HJR 7, in favor of Mount Washington Observatory. Ought to pass.

Senator Martin: "Mr. President, this is a non-profit organization which renders a great public service in that they provide reports on the weather, search facilities for people lost on the Mountain. They also provide quarters for stray people who wander in out of season. We believe that this is a very worthwhile cause and the joint resolution should pass."

The joint resolution was ordered to a third reading.

Senator English, for the Committee on Education: HB 244, to increase the powers of Franklin Pierce College and Belknap College. Ought to pass.

Senator English: "Mr. President, House Bill 244 extends to Franklin Pierce College the power to confer upon graduates the degrees of Bachelor of Arts and Bachelor of Science to the qualified candidates for the period April 1, 1966 through June 30, 1969. The authority shall be continued by an act or acts of the General Court if the Coordinating Board of Advanced Education and Accreditation shall favorably recommend.

"In connection with Belknap College, similar authority is granted for the period June 1, 1966, through June 30, 1969, and continued under the same circumstances as in the case of Franklin Pierce College."

The bill was ordered to a third reading.

Senator Green, for the Committee on Military & Veterans Affairs: HB 619, relative to hawkers and peddlers at veterans' meetings or conventions. Ought to pass.

Senator Green: "Mr. President, at the last American Legion Convention, a Resolution was passed which prohibits the activities of peddlers and hawkers unless authorized by the organization concerned. I yield to Senator Lamontagne."

Senator Lamontagne: "Mr. President, I rise in support of this bill because there have been individuals who have been really abusive to the general public by coming out with different items, and people think they are supporting the veterans organization while all the time, they are not. They hide their cars — some of them are big new Cadillacs — and the people believe they are contributing to the veterans organizations which they are not. I know of this in Berlin. I know this happened when I was Mayor there. There has been no way of being able to stop them from operating because they have a state peddler's license. Certainly, if this bill is passed, it is going to straighten out this matter. The general public will know that they are supporting an organization and not an individual."

Senator Hunter inquired: "Do I understand that at the present time, there can be hawkers and peddlers at your convention?"

Senator Lamontagne: "They can get a license and sell anything they wish."

Senator Hunter: "Then this will restrict the individuals from doing this?"

"Senator Lamontagne: "You must have seen these people around."

Senator Hunter: "Yes, I am too familiar with them. They stop everybody on the street corner and urge people to buy. I would be pleased to support any bill to restrict this."

Senator Lamontagne: "I think the language of this bill will straighten out the problem."

Senator Blaisdell: "You said if he has a state license, he can sell in any town?"

Senator Lamontagne: "Under the present law (and I am speaking now of Berlin) they were cheating the public. They already had a state peddler's license. We could do nothing about it. They could not be stopped. They cannot refuse the issuance of the license. This would have to be approved by the veterans organization (under this bill) or whoever is running the Convention."

Senator Mitchell spoke in support of the bill and cited his experiences with these individuals in connection with operation of the State Fairs.

The bill was ordered to a third reading.

Introduction of Guests

As the guest of Senator English, Mark Johnson, a senior at Cornell University; a student of government and very much interested in our proceedings here in the Senate.

Committee Report Withdrawn

On motion of Senator Buchanan, the following entitled bill and Committee Report were withdrawn and the bill was recommitted to the Committee on Executive Depts., Municipal & County Governments: (in order that an amendment may be prepared)

SB 107, relative to the compensation of personnel of the university and Keene and Plymouth state colleges. (Recommend referral to a Special Interim Study Committee)

Senator O'Gara, for a Majority of the Committee on Executive Depts., Municipal & County Governments: SB 115, to improve the administration of the department of resources and economic development. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Organization of Department. Amend RSA 12-A:1 (supp) as inserted by 1961, 223:3 by striking out said section and in-

serting in place thereof the following: 12-A:1 Establishment. There shall be a department of resources and economic development under the executive direction of a commissioner of resources and economic development. The department shall include but not be limited to divisions of forests, parks, planning, promotion, recreational development and industrial development.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Commissioner of Resources and Economic Development. Amend RSA 12-A:2 (supp) as inserted by 1961, 223:3 by striking out said section and inserting in place thereof the following: 12-A:2 Commissioner of Resources and Economic Development. The governor and council shall appoint a commissioner of resources and economic development, who shall serve for a term of four years from the date of his appointment, and until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term. He may be removed by the governor and council on recommendation of the advisory commission. It shall be the responsibility of the commissioner to organize and direct the work of the department. The commissioner shall appoint one member of his staff who shall act in his stead when said commissioner is absent from the state and at such other times as he is so directed by the commissioner. When acting for the commissioner, said person shall have all the powers, duties and authority of the commissioner. Directors of departmental divisions shall be subject to the supervisory authority of the commissioner, which authority shall include the power to establish departmental and divisional policy as well as control the actual operations of the department and all divisions therein. The commissioner shall consult with the advisory commission prior to the establishment of general and divisional departmental policy.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following:

4 Directors of Divisions. Amend RSA 12-A:3 (supp) as inserted by 1961, 223:3 by striking out said section and inserting in place thereof the following: 12-A:3 Directors of Divisions. The commissioner after consultation with the advisory commission, shall nominate for appointment by the governor

and council a director of forests, who shall be known as the state forester, a director of parks, a director of planning, a director of promotion, a director of recreational development, and a director of industrial development who shall all serve for an indefinite term. Directors of divisions may be removed by the commissioner, subject to approval of the advisory commission. Directors of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in section 12-A:2 of this chapter.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5 Industrial Agents. Amend RSA 12-A (supp) as inserted by 1961, 223 by inserting after section 3 thereof the following new section: 12-A:3-a Industrial Agents. The director of industrial development, subject to approval of the governor and council, shall appoint four industrial agents who shall be qualified by training and experience for the promotion and attraction of new industry to this state, and for aiding and encouraging industrial expansion within the state. Said industrial agents shall serve for an indefinite term and may be removed by the director of industrial development with approval of the advisory commission.

Amend the bill by inserting after section 6 thereof the following new sections 7, 8 and 9.

7 Advisory Board for Forests and Parks. Amend RSA 12-A (supp) as inserted by 1961, 223 by inserting after section 6-b as inserted by the original section 7 of this act the following new section: 12-A:6-c Advisory Board for Forests and Parks. There shall be an advisory board to the director of the division of forests and the director of the division of parks consisting of five members. The representatives of recreation and forestry on the advisory commission shall be members of said board during their terms of office. Three other members of said board shall be appointed by the governor and council for terms of four years, at least one of whom shall be representative of the wood using industries, one of timberland protection and one of public recreation. The governor shall annually designate a chairman from among the membership, but no members shall be eligible to serve as chairman for more than

three years, consecutive or interrupted. Regular meetings of the advisory board shall be held at its offices quarterly, and at such other times and places as it deems appropriate at the call of the chairman or of any other two members. The directors of the divisions of forests and parks shall attend regular meetings of the advisory board, and the board shall make itself available at reasonable times and places at the request of the director of forests or parks to consult with and advise said directors on any matters pertaining to the operation of said divisions. Members of the board shall serve without compensation but shall be entitled to receive mileage and expenses when in the performance of their duties.

8 Division of Forests. Amend RSA 12-A:8 (supp) as inserted by 1961, 223:3 by striking out said section and inserting in place thereof the following: 12-A:8 Forestry and Recreation Commission Abolished; Transfer of Functions and Powers, Tenure. The forestry and recreation commission, established pursuant to RSA 216, as amended, is hereby abolished. All of the powers, duties, functions, personnel, records, and property are hereby transferred to the department of resources and economic development. The commissioner of resources and economic development, with approval of the advisory commission, shall assign such thereof to the division of forests and such to the division of parks as is found necessary and advisable. Whenever reference is made to the forestry and recreation commission in the statutes, it shall henceforth be construed to mean the department of resources and economic development. The tenure of members of the forestry and recreation commission shall terminate upon the appointment and qualification of the directors of the divisions of forests and of parks.

9 Director of Forests. Amend RSA 12-A:9 (supp) as inserted by 1961, 223:3 by striking out the same and inserting in place thereof the following: 12-A:9 Director of Forests; Initial Appointment and Tenure. The state forester in office on the effective date of this act shall continue in office as director of the division of forests subject to the provisions of this act. His tenure and salary shall be as herein established for the director of forests. All of the powers, duties, and functions heretofore performed by the state forester or director of division of resources development pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of forests subject to the provisions of the act.

Whenever reference is made to the state forester or director of the division of resources development in any provision of the statutes, it shall henceforth be construed to mean the director, division of forests, department of resources and economic development.

Further amend the bill by renumbering the original sections 7, 8, and 9 to read 10, 11, and 12.

Further amend the bill by striking out section 10 and inserting in place thereof the following:

13 Tenure of Office of Directors of Divisions. The tenure of office of the director of the division of forests, and the director of the division of parks as provided in Laws of 1961, 223:3 shall cease on the effective date of this act, and thereafter said directors shall continue in office subject to the provisions of this act.

Further amend the bill by renumbering the original sections 11, 12, 13, 14, 15 to read 14, 15, 16, 17, and 18.

Further amend the bill by striking out section 16 and inserting in place thereof the following:

19 Salaries. Amend RSA 94:1 as amended by 1955, 153:2, 321:1, 323:4, 6, 335:8; 1957, 90:1, 223:2, 274:4, 7, 315:2; 1959, 199:4, 268:12; 1961, 166:5, 221:4, 222:5, 223:4; 266:12, 1963, 39:2, 132:2, 209:2, 303:14 and 328:17 by striking out the following lines:

Commissioner of resources and economic development	\$12,800.00	\$14,800.00
Deputy director of recreation	\$ 7,765.10	\$ 8,831.16
Director of division of economic development	\$ 9,621.04	\$10,947.04
Director of division of parks	\$ 9,621.04	\$10,947.04
Director of division resources development	\$ 9,621.04	\$10,947.04

and inserting in proper alphabetical place the following new lines:

Commissioner of resources and economic development	\$15,000.00	\$16,500.00
Assistant Commissioner, depart- ment of resources and economic development	\$10,500.00	\$12,000.00

Director of division of forests	\$13,000.00	\$14,500.00
Director of division of industrial development	\$12,000.00	\$13,500.00
Director of division of parks	\$13,000.00	\$14,500.00
Director of division of planning	\$12,000.00	\$13,500.00
Director of division of promotion	\$12,000.00	\$13,500.00
Director of division of recreational development	\$12,000.00	\$13,500.00
Industrial agent (4)	\$10,500.00	\$12,000.00

Further amend the bill by renumbering the original sections 17 to read 20.

Further amend the bill by adding the following new sections:

21 Gifts of Land and Personal Property. Amend RSA 219:5 as amended by 1961, 223:3 by striking out said section and inserting in place thereof the following: 219:5 Gifts of Land. With the approval of the governor and council, the department is empowered to receive, in the name of the state, land by gift, escheat, or otherwise, without cost, for the purpose of a state forest or reservaton. It shall record the necessary papers; map and survey the land; protect it from fire; plant, cut and otherwise improve the forests within the limits of its appropriation. The department shall keep an accurate inventory of lands under its administration; copies of deeds conveying same; maps of these areas including indications of all roads, structures and other improvements made thereon; records of all leases or licenses of such properties, whether these properties belong to the state or when the state is lessee of such properties. It shall also survey these properties and set suitable bound markers thereon. It may receive in the name of the state articles, furnishings and documents related to the historic sites under its jurisdiction, keeping an accurate inventory record thereof and of their disposition.

22 Conservation. Amend RSA 219, as amended by 1961, 223:3 by adding to it the following new section: 219:36 Conservation Purposes. Lands now or hereafter administered by the department shall be dedicated to forestry, recreation or other conservation purposes only, notwithstanding any other provision of law.

23 Repeal. RSA 221:1, 2, 3, 4, 5, 6, 15 and 16 as amended by 1961, 223:3 are hereby repealed.

Further amend the bill by renumbering the original section 18 to read 24.

Senator Foley, for a Minority of the Committee on Executive Depts., Municipal & County Governments: SB 115, to improve the administration of the department of resources and economic development. Inexpedient to legislate.

On motion of Senator Buchanan, the reading of the amendment was dispensed with, same having been printed in the Journal on Page 1029.

Senator Foley moved that the report of the Minority, Inexpedient to Legislate, be substituted for the report of the Majority, Ought to pass and spoke in support:

“Mr. President: Perhaps a few of my remarks have been heard by members of the committee on this subject but for the benefit of those others who have not heard my views, I will review a few reasons for this minority report. In the Governor’s inaugural address, he stated and I quote ‘the merger that created the Department of Resources and Economic Development has not worked out as well as the Department of Safety in practice. Not only has it failed to effect the economies predicted but it has created unnecessary and vexatious bureaucracy. It contains too many diverse and unrelated elements that do not lend themselves to unification, and I shall recommend some modification of it.’ Well, Governor King did just this in the form of Senate Bill 56.

“The committee heard this bill No. 56, over four hours of it. No one spoke against this bill. There were small, and I mean small, defects that were pointed out which could have been ironed out. I remember the length — ninety odd pages were given to forestry and much of this was for corrections in the printing of the 1955 Revised Statutes Annotated. Printing corrections, but be that as it may, with all *for* this bill (on the whole), it was voted down and, as brilliantly predicted by me in another speech, a new Senate bill was created. There are lots of interesting rumors concerning its creation, scuttling, and then the present Senate bill before us. Here it is. At its hearing, and I am speaking of the present Senate Bill 115, no one spoke for the bill. I have been to other committee hearings where the sponsor is on the committee. He steps from his committee chair and explains his bill. This did not happen. No one spoke for

the bill. Eleven were against. With odds like this, you can't win? Well, even with odds like this, as far as 115 is concerned, you can't lose. Some were against the forestry section. Others stated that in toto it was not a good bill. But here it is, complete with amendments.

"Here are a few glaring defects:

"No actual functions are given the so-called strong commission. The commissioner shall have full power of selection and appointment of all personnel in component divisions and the advisory commission need only be advised of the commissioner's decision. Yet in another section the commissioner nominates the directors. All may be removed by the commissioner subject to the approval of the advisory commission. The directors shall be responsible to the supervisory authority of the commissioner. What authority does the commissioner have? His supervisory authority shall include power to establish departmental and divisional policy, as well as control the actual operations, and all divisions therein. The commissioner shall consult with the advisory commission prior to the establishment of divisional policy — *just consult*. The directors shall be responsible to — and their respective divisions subject to — supervisory authority of the commissioner. With powers like this, who needs directors? Why were we dickering about directors' salaries? The commissioner is the king, and I don't mean John. In a report of another branch of the state government, Attorney General Maynard stated that it was this same wording that created the situation as it is today. It results in, no actual wrongdoing, but it doesn't make for good smooth running departments.

"We are not solving problems by passing this bill; we are permanentizing problems. I am sure that should anyone take the time to talk to department leaders of the Department of Resources and Economic Development on this bill, they'd find that this is not a popular bill. I've heard rumors of resignations as have some other Senators.

"I do not feel that the Department of Resources and Economic Development will be better because of these changes made. We're not creating separate departments to work, be independent, grow in independence, be better in just plain morale because they are on their own. We are simply giving

a commissioner the right to delve and I'll use the word 'meddle' a little in everything and end up with another bucket of worms. If a new DRED bill which has been proposed was brought in and it was a real effort to change the Department of Resources and Economic Development and correct deficiencies, I would not have opposed it and I am sure that for the good of the people of the state and for the good of the growth of the department, no matter who its sponsors might be, Governor King would not have opposed it. I really thought that such a bill had been drafted by Attorney Upton. However, this bill in its present form is not what I thought would be presented. I didn't expect a panacea to cure all ills. I didn't expect a miracle, but I did expect, and I feel that the people of the state of New Hampshire deserve, more than this.

"And so we are here voting on a bill that nobody wanted and, I know, a bill that will pass this body. (I was going down the corridor after the session on Tuesday and someone said, here comes Minority Millie or Inexpedient Eileen), and so once again today, I urge members of this body to accept the minority report which substitutes 'inexpedient to legislate' for 'ought to pass.'"

Senator English inquired: "Do you prefer to leave things the way they are?"

Senator Foley: "Actually, I would have liked an amendment and if I had been smart, I would have put in an amendment — SB 56."

Senator Buchanan: "I think that Senator Foley wishes the DRED bill dead. I am in opposition to the pending motion. I think part of the trouble that we find ourselves in is the time element — despite the fact that the Governor gave information about this in his inaugural address in January, the bill did not come in until the middle of April, when the session was over half over. It would have been much better if we had had this bill early in January and that might have been the vehicle from which we would be working. In earlier remarks on SB 56, we felt that there was not sufficient time to hack it to pieces and come up with anything but hash.

"I would speak to the bill itself.

"SB 115 substitutes 6 divisions for what used to be 3 divisions in the Department. In the old department there was a

Division of Resources Development which, under this bill, will become Division of Forests. — Division of Parks; Division of Economic Development — Economic Development under this bill is divided into 4 new divisions — **planning**, promotion, industrial development, recreational development — which will be new divisions not in the old department .

“We eliminated the positions of Director of Economic Developments and transferred the personnel in this division to the 4 new divisions. The **Commissioner under the new bill** will be appointed for a 4 year term and he may be removed by the Governor and Council upon recommendation of the Advisory Commission.

“New position created — Assistant Commissioner in Charge of Business Administration. This will be an unclassified position. He will be administering the business management of the department. He is now functioning but in a classified capacity. He will serve for an indefinite term but may be removed by the Commissioner with the approval of the Advisory Commission. Directors of divisions will serve for indefinite terms and may be removed by the Commissioner with the approval of the Advisory Commission. This isn't too different from what it was under the old **Commission form of administration**. They have an indefinite term; they won't come up for reappointment and may attract career people. Industrial agents — there are now 4 who hold classified positions in the sub-division of industrial development. Their positions will become unclassified and they will be appointed by the Director of Industrial Development, subject to approval of the Governor and Council. If they are removed, they can be removed by the Director of Industrial Development with the approval of the Advisory Commission. All action on **removal of public officers** in the Department will take the majority vote of the Advisory Commission. Most of the personnel now performing the functions in this Department are frozen in their jobs. The only change is the elimination of Al Evans' job and the creation of a new job — Director of Recreational Development — which will be a new appointment. There is a differential (salary) between the 4 new directors and the 2 old directors.

“Term of commissioner changed from indefinite to 4 year term.

“Makes change of name to State Forester.

"Establishes Advisory Board on Forests of 5 members; 2 to serve from the Advisory Commission to the Department and 3 from Governor and should come from wood using industries, forest protection, public recreation.

"Last section which relates to gifts authorizes the department to receive gifts of land. This is already on the books. In addition, it requires the Department to record dates and other pertinent data pertaining to the transaction and keep an accurate inventory of the lands and survey the real estate under its control. Also it may receive, in the name of the State, personal property relating to historic sites. This was included in Gov. King's bill. The section added on conservation was also in Gov. King's bill and will require all lands administered by the Department to be dedicated to conservation purposes.

"This deletes 6 sections of the RSA 221 which deal with gifts of land to the State — land being improved by the State by planting and then the donor having the option to repurchase the land from the State with interest at 4% on the improvements made by the State. This could be very costly if it were taken advantage of by private land owners. The Society for the Protection of N. H. Forests thought it should be removed from the statute. Mr. Millimet also mentioned it when he spoke on the Gov.'s bill. Sections 15 and 16 through 221 are repealed. They deal with filing a report of cuttings of pine timber — filing a report is already required to be done by the Tax Commission so there is no need to have it done through the **Forest Division**. The Forest Division receives these reports anyway and they cover all cuttings — not just pine. These sections are superfluous.

"It removes the provisions about industrial agents. They don't work in any particular area. This gives them freedom to employ people where they are most needed."

Senator Martel: "Mr. President, I speak in support of the pending motion to substitute. Frankly, I would dread to see the enactment of DRED under the present circumstances. I would not like to see the bill dead. When it reaches the body across the hall, I believe the administration and the leadership in the Legislature will probably put a little water in their wine and effect a compromise. I view with alarm the adjournment on June 30th with nothing accomplished as far as the reorganization of these departments as well as that of Health & Welfare. I

know that standing before you here today and saying 'I hope my colleagues will go along' is useless. I know the outcome of the vote this morning. No amount of oratory or eloquence on my part, if I were so inclined, with intricate details with the functions of these departments, would sway my colleagues of the opposite Party affiliation. So with this, I will sit down and simply state that I am in favor of the Minority Report."

Senator Blaisdell: "Mr. President, I still mean what I said yesterday. If I thought a Republican sponsored bill would do the job, I would most certainly vote for it. But I do not feel that this would do the job. I would like to have seen SB 56 passed. I go along with the motion of Senator Foley."

Senator Johnson: "Mr. President, as this bill states in the title, the purpose of the bill is to improve the structure of the present organization. At the public hearing that was held on SB 56, there was a great deal of testimony which was useful to us in the drafting of this bill. We did not think it was important to have these people come down a second time and state what they had said the first time. The first point that was made at the hearing was that there was a great need to emphasize recreation in this State. The first change that we have made is to set up a separate division for the recreation department. I don't think that anyone can argue with the concept that this is good for the State of New Hampshire. **Industrial development**, concerned with the manufacturing progress. It has been a high risk and needs people experienced in this business. The second point that was made on SB 56 was that there was a need to work harder in the industrial development. It was agreed by the Governor that we ought to have unclassified employees working for the State. These people should go out and do a job and if they cannot do a job, someone else should take their place. The third item which was discussed at the hearing on SB 65 was a need on the business aspect. We have tried to do this. The top people in each of these divisions should be working for the Commissioner. This is as it should be. This is fitting and proper. Therefore, we have set up under this structure, this division of heads which will be working for the Commissioner, subject to the Advisory Committee if these people are to be discharged. This is in the general progress of business. At the present time, we have taken a look at the functions of the Commission itself. As you look at the laws of many states,

you will find that it is very common today that commissions are being used in two capacities. (1) Advice to the person in the top job. (2) In the functions of science, similar to a court, a quasi-judicial function. This is not just in New Hampshire. It has been done throughout the country. Not at all unique, but is bringing us in line with other states. It is a matter of good business practice, to do away with anything not necessary. It was our feeling that this super-structure was unnecessary and has been taken out. There are 6 divisions—to make the lines of communication more direct. Either do the job or find someone who can do the job. It makes sense to have these people unclassified. Keep in mind that when you get the right kind of a person, the fact that he does not have tenure does not mean that he will not work. A person goes to work for a business and he has to perform in order to keep the job. These changes are good business practice. These changes in salary mean that we will attract good people who can do the job. Those with tenure may draw \$15,000. Those without tenure get \$5,000. The Governor has made the statement that these amendments make a bad bill worse. I cannot understand this. Just because it was not sponsored by a Democrat does not mean that there are no good parts of this bill. I would think that what the Governor has said that although the bill does not meet with his approval, there are some sections that are greatly needed in this State. There is a great deal of logic in grouping these departments together and I think this is a step to make this department work all the better.”

Senator Riley: “Mr. President, I don’t feel that the State is a business as the Senator from the 5th District indicates. It does not operate on a profit and loss basis. Classified service was instituted many years ago to eliminate the spoils system by state and federal governments. This will put the spoils system back into effect.”

Senator Lamontagne: “I hate to see this bill go down the drain. I saw SB 56 go down the drain and I think we should try and get together and see if we cannot come up with some sort of a compromise. We can pass this on to the House and put our heads together and come up with a compromise and make it good. I am convinced we can make this a good bill.”

(Discussion ensued)

Question being on motion of Senator Foley to substitute.

On this question, Senator Foley demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Lamontagne, Blaisdell, Riley, Martel and Foley.

The following named Senators voted in the negative: Martin, Mitchell, Johnson, Gardner, Howard, Saggiotes, Gove, English, Buchanan, Rinden, Green, Bergeron, O'Gara, Tufts, and Hunter.

Five Senators having voted in the affirmative, and fifteen Senators having voted in the negative, the negative prevailed, and the motion to substitute was lost.

The amendment offered by the committee was adopted.

Senator Riley moved that we consider SB 52 instead of SB 115 at the present time.

The Chair: "SB 115 is presently before the Senate and another bill cannot be considered until the present bill is disposed of. The Chair would state that if the Senator had decided to suspend the rules to offer an amendment, this might be done. You cannot offer an amendment which is in effect another bill."

Senator Lamontagne: "I move that this be made a Special Order of Business for 11:01 next Wednesday morning."

Senator Johnson spoke against the motion, in view of the lateness of the time.

Senator Blaisdell: "I only wish to pass a good bill, whether sponsored by Republicans or Democrats. If it is a good bill, I will vote for it."

(Discussion ensued)

Question being on motion for Special Order.

On a *viva voce* vote, the negative prevailed.

Senator Lamontagne requested a Division vote.

Six Senators having voted in the affirmative, and fourteen Senators having voted in the negative, the negative prevailed, and the motion was lost.

The bill as amended was ordered to a third reading.

Resolution

Senator Buchanan offered the following Resolution:

Resolution relative to bills increasing the amount of property which corporations established by special act of the legislature may hold.

Be it Resolved by the Senate:

That the legislative council is hereby authorized and directed to investigate means by which the general court can take some action either by rule or by statutory enactment so as to eliminate in future sessions the numerous bills which are individually introduced and acted upon which simply provide that a corporation which has been established by special act of the legislature may increase the amount of property that it may hold.

Senator Buchanan spoke in support.

The Resolution was adopted.

Bill Recalled From the Governor

On motion of Senator Lamontagne, supported by Senator Gardner, the following entitled bill was recalled from the Governor:

HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants.

On further motion of the same Senator, the Senate voted to reconsider its vote whereby the bill was read a third time and passed.

On further motion of the same Senator, the bill was recommended to the Committee on Banks, Insurance & Claims.

Notice of Reconsideration

Senator English served notice of reconsideration on the following entitled bill:

HB 215, to amend the law establishing a cooperative school district in the Newfound area.

Introduction of Guests

As the guest of Senator Bergeron, Mr. Calef of Derry.

As the guest of Senator Gardner, Mr. Henry Waldo of Lincoln, Executive Director of the Franconia Paper Company.

Order Vacated

On motion of Senator Buchanan, the order whereby HB 102, establishing a finance commission for the city of Manchester, was referred to the Committee on Executive Depts., Municipal & County Governments, was vacated, and the bill was referred to the Special Committee consisting of the Manchester Delegation.

Order Vacated

On motion of Senator Buchanan, the order whereby HB 362, providing for increasing the number of deputy registrars for the city of Manchester, was referred to the Committee on Executive Depts., Municipal and County Governments, was vacated, and the bill was referred to the Special Committee consisting of the Manchester Delegation.

On motion of Senator Martel, the rules were suspended to make all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading of Bills and Joint Resolutions

SB 115, to improve the administration of the department of resources and economic development.

On motion of Senator Howard, the Senate refused to reconsider its vote on the above entitled bill.

HB 244, to increase the powers of Franklin Pierce College and Belknap College.

HB 619, relative to hawkers and peddlers at veterans' meetings or conventions.

HJR 7, in favor of Mount Washington Observatory.

HJR 24, providing funds for the commission on interstate cooperation.

On motion of Senator Green, the Senate adjourned at 1:12 p.m. to meet next Monday at 11 o'clock.

MONDAY, June 14, 1965

The Senate met according to adjournment.

A quorum was present.

Leave of Absence

Senator Greene was granted leave of absence for the day due to important business.

Introduction of Guests

As the guests of Senator Rinden, Mr. and Mrs. Charles Dalton of Concord.

House Message — First & Second Reading of Bills & Joint Resolutions

HB 59, relative to construction of buildings to be used by the public. Referred to Public Works & Transportation.

HB 77, to require register of deeds to supply copies of deeds to towns and cities. Referred to Judiciary.

HB 202, authorizing McIntosh College, Inc. to grant degrees. Referred to Education.

HB 260, relative to private ownership liability exemption. Referred to Judiciary.

HB 298, to allow children to work in certain occupations other than farm or domestic labor. Referred to Labor.

HB 432, relating to the organization of Savings Banks. Referred to Banks, Insurance & Claims.

HB 591, to extend the curfew regulations. Referred to Judiciary.

HB 593, to suspend the license of a minor possessing or drinking intoxicating liquor or beverages while driving a motor vehicle. Referred to Judiciary.

HB 667, relating to hearings in enactment of zoning ordinances in towns. Referred to Judiciary.

HB 706, relative to the Dover city charter. Referred to Executive Depts., Municipal & County Governments.

HJR 42, in favor of the city of Lebanon. Referred to Banks, Insurance & Claims.

HJR 43, in favor of Alex C. Isherwood of Jaffrey. Referred to Banks, Insurance & Claims.

The Message also stated that the House of Representatives has voted to concur with the Senate in the passage of the following Joint and Concurrent Resolutions sent down from the Senate:

SJR 9, in favor of Richard J. Houle.

Concurrent Resolution relative to the reorganization of the United States Army Reserve and the National Guard.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 276, providing for an open season on fisher.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate: HB 215, to amend the law establishing a cooperative school district in the Newfound area, and requests a Committee of Conference; the Speaker has appointed as member of said Committee of Conference on the part of the House of Representatives: Urie of New Hampton, Plumer of Bristol, O'Neil of Chesterfield.

On motion of Senator English, the Senate voted to accede to the request of the House for a Committee of Conference on the above entitled bill.

Pursuant to the above, the Chair appointed as members of such Committee of Conference on the part of the Senate: Senators English and Foley.

Senator English withdrew his notice of reconsideration on the above entitled bill.

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 197, relative to credit unions.

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Credit Unions. Amend RSA 394:17 (supp) as amended by 1955, 213:1, 1959, 88:1 and 1963, 306:5 by striking out

The Senate voted to concur.

Introduction of Senate Bill

SB 128, relating to the waiver of indictment. (Rinden — Rules) Referred to Judiciary.

Committee Reports

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: HB 266, relative to the disposal of garbage and refuse. Ought to pass.

Senator Gardner: "Mr. President, the act defines public dumping facilities for refuse and garbage. Also defines private disposal sites. The basic intent of the act is to prohibit out of state garbage and refuse collectors from depositing it in New Hampshire. It does not prohibit the maintenance of a dump site located on a person's own property used for the express purpose of depositing refuse and garbage from his own residence. Neither does it apply to persons transporting garbage for the purpose of feeding swine or other animals, nor to individuals hauling or storing animal or poultry manure for use as fertilizer. It prevents out of state commercial concerns from buying private land and converting it into dumping areas. There was no opposition."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Public Health, Welfare & State Institutions: HB 500, relating to hospital survey and construction. Ought to pass.

Senator Gardner: "Mr. President, this is an enabling act introduced to the Hill Harris act providing special funds for survey and construction of hospitals and requires an advisory council to qualify for receipt of federal money. The Advisory Commission on Health & Welfare does not meet this requirement. This act provides that the Advisory Commission on Health & Welfare as established by RSA 126-A:8 shall establish and appoint such councils as may be necessary from time to time to meet requirements under the federal act. There was no opposition."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Banks, Insurance & Claims: HB 267, relative to building and loan associations. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Loans. Amend RSA 393:15 (supp) , as amended by 1955, 131:2 and 1963, 313:1 by striking out the words "twenty-five years" and inserting in their place the words, thirty years, so that the section as amended shall read as follows:

393:15 Loans. Any such corporation may loan money so collected, together with interest, premiums, fines and profits arising from the business, to its shareholders and members on first mortgages on real estate situated anywhere in New Hampshire or within a fifty mile radius of its main office in any state contiguous to New Hampshire, provided however that the geographical limitations shall not apply to Federal Housing Administration and Veterans Administration insured loans purchased from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, or on buildings in the town of Hampton situated on land not belonging to the owner of the building. The loans shall not exceed the appraisal value of said property. Such corporation may accept other satisfactory collateral as additional security for the loan. A premium may be charged in excess of the established rate of interest. Said loans shall be share sinking fund or direct reduction loans. In share sinking fund loans serial shares of the corporation shall also be pledged sufficient in amount to repay the loan upon maturity. Direct reduction loans shall be repayable in monthly installments sufficient to amortize the same paying off interest or premium and principal in any period of time not exceeding thirty years. Any such corporation holding a first mortgage on such property may take a subsequent mortgage or mortgages on the same property provided that there are no intervening liens. Any shareholder may borrow on the shares of such corporation up to the full value thereof at the time of the loan.

On motion of Senator Blaisdell, the reading of the amendment was dispensed with, same having been printed on page 1061 of the Journal.

Senator Buchanan: "Mr. President, the amendment changes the time from twenty-five to thirty years. If this were limited to twenty-five years, it was felt that this would be discriminatory. The committee recommends the adoption of the amendment. As for the rest of the bill, this is a housekeeping bill, changes the loan limits and removes limitation on the amount in any particular category of loan. Section 3 limits the investment in the banking buildings to 50% which is in conformity with regulations on commercial banks. 4 — adds Massachusetts which will enable the banks to accept the pass books of banks in Massachusetts since they do not belong to the Federal Deposit Insurance Corporation or FHA. This section would enable the banks to accept the savings books of depositors over the counter without prior approval of the Board of Directors and lend them their own money. This makes legal a practice that has existed for some time.

"Section 5 covers new procedures which have developed over the years — new shares have been added and dividends have been paid both semi-annually and quarterly. This would enable the division of profits any way they see fit — semi-annually or quarterly.

"Section 7 — Removes the requirements that dividends be paid semi-annually and removes the requirement that they be paid in cash with a limit of 5%.

"The amendment grants to cooperative banks, savings and loan associations and building and loan associations an extension from 25 to 30 years in which to amortize a loan.

"There was no opposition and although it is rather complex, it ties up a lot of loose ends and with the exception of the amendment which we remedied, there was no controversy."

The amendment was adopted.

Senator English inquired: "This does not affect the regular banks, and I take it does not extend the facility to the building and loan associations beyond that?"

Senator Buchanan: "No. It brings them up to, but not beyond."

The bill as amended was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: HB 271, to authorize pur-

chases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Department of Administration and Control. Amend paragraph XV of RSA 8:19 as amended by 1955, 201:1 by striking out the words and figure "(1) when the purchase involves a total expenditure of less than three hundred dollars," and inserting in place thereof the following, (1) when the best interests of the state would be served thereby and the purchase involves a total expenditure of not more than five hundred dollars or is a purchase in an approved class, so that said paragraph as amended shall read as follows: XV. Require competitive bidding before making any purchase for the state pursuant to the provisions of this chapter, except (1) when the best interests of the state would be served thereby and the purchase involves a total expenditure of not more than five hundred dollars or is a purchase in an approved class, (2) when, after reasonable investigation by the director of purchase and property, it appears that any required unit or item of supply, or brand of such unit or item, is procurable by the state from only one source, (3) when, after reasonable investigation by the director of purchase and property, it appears that any required service, unit or item of supply, or brand of such unit or item, has a fixed market price at all sources available to the state, (4) when, in the opinion of the governor, an emergency exists of a nature which requires the immediate procurement of supplies, he may authorize the director of purchase and property to make a purchase without competitive bidding; and provided further, that where the rates filed with and approved by the insurance commissioner are uniform, the purchase of state insurance and public state official and employee bonds are specifically excluded from competitive bidding as to price. Provided, however, that nothing herein contained shall preclude the director of purchase and property from inviting plans of insurance coverage from any resident licensed insurance agent.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Department of Administration and Control. Amend RSA 8:24 as amended by 1955, 200:1 by striking out the words "no

purchase involving an expenditure of three hundred dollars or more shall be made" and inserting in place thereof the following, no purchase involving an expenditure of more than five hundred dollars or purchase in an approved class, so that said section as amended shall read as follows: 8:24 Non-Competitive Purchases. Except where competitive bidding has been employed, no purchase involving an expenditure of more than five hundred dollars or purchase in an approved class may be made by the director of purchase and property without the written approval of the comptroller. In requesting such approval the director of purchase and property shall first state in writing his reasons for not employing competitive bidding. If the comptroller refuses to approve any such non-competitive purchase, the director of purchase and property may appeal to the governor for such approval and the governor shall approve or disapprove such purchase in writing.

Senator English presiding.

On motion of Senator Buchanan, the reading of the amendment was dispensed with, same having been printed on page 1062 and 1063 of the Journal.

Senator Buchanan: "Mr. President, this bill was passed previously, but one or two people spotted an error in the bill and it was recalled and the change was effected. There are two parts to the bill. The original bill provided an increase in the expenditure without competitive bidding from \$300 to \$500. The other half of the bill, and this is what the amendment does, it clarifies the wording which existed in the original bill. It now allows the director of purchase to buy at any time, if the class of purchase has been approved by the comptroller and the treasurer. As it was explained to us, if the comptroller approves the purchase of an IBM electric typewriter which costs \$600, then Mr. Peale can buy it. In another 10 days, perhaps Health & Welfare needs a similar typewriter, he can go ahead and buy same. This provides purchase within the same class until this specific authorization has been rescinded. This procedure saves time and is a more effective way of handling purchases."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 94, appropriating additional funds for the construction of a resi-

dence hall at the University of New Hampshire, and to be liquidated from income. Ought to pass.

Senator Lamprey: "Mr. President, this is a deficiency appropriation to extend a bond issue by some 390 thousand dollars. The original bill called for 35 thousand dollars more than that. However, the House, in its wisdom, and the University of New Hampshire agreed that it could get along with this 390 thousand dollars. This is for the so-called high rise dormitory at the University of New Hampshire, the bond issue to be self-liquidating from funds that come in from rents at the University."

The bill was ordered to a third reading.

Senator Lamprey presiding.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 474, to prohibit the taking of lobsters or crabs in Rye Harbor or in the channel of the harbor. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend paragraph I of RSA 211:19-a as inserted by section 1 of the bill by striking out the third line and inserting in place thereof the following:

crab trap buoys may be placed in the harbor or the approach

Amend paragraph III of RSA 211:19-a as inserted by section 1 of the bill by striking out line seven and inserting in place thereof the following:

The approach channel to Rye Harbor is designated as that area bounded as follows:

Amend RSA 211:19-a as inserted by section 1 of the bill by striking out paragraph IV and renumbering paragraph V to read IV.

Amend the bill by inserting the following new section 2:

2 Additional Penalty. Amend RSA 211 by inserting after section 18 the following new section: 211:18-a Penalty, Loss of License. In addition to any other penalty any lobster license

holder convicted of assaulting an enforcement officer or wilfully damaging any boat or motor used by an enforcement officer shall lose his lobster license for one year.

Further amend the bill by renumbering section to to read 3.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 23, to provide additional retirement to retired members of the policemen's retirement system. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Effective Date. This act takes effect January 1, 1966.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 189, An Act to provide for cumulative supplements for RSA.

HB 288, An Act relating to arrest, detention and arrangement of criminal defendants.

HB 330, An Act relating to the licensing of child-caring agencies and the establishment of an advisory committee.

HB 399, An Act relating to investments of savings banks.

HB 560, An Act restricting operation of motor vehicles on clam flats.

SB 86, changing part of the boundary line between the towns of Auburn and Hooksett.

HJR 3, Joint Resolution to provide compensation for persons damaged by limitations on signs on interstate highways.

HJR 30, Joint Resolution in favor of the State of Maine.

HB 137, An Act to appropriate funds to provide for continuance of payments under the Teachers Retirement System.

HB 169, An Act to increase the public revenue from the tax on beer and other malt beverages.

HB 201, An Act to regulate width of load on passenger type motor vehicles.

HB 400, An Act relative to the salary of the sheriff and appointment of a salaried deputy sheriff of Sullivan county.

HB 410, An Act providing for recompilation of Volume 3 of the Revised Statutes Annotated.

HB 418, An Act relating to calculation of annual and sick leave of state employees.

HB 626, An Act relative to voting for school board members and officers in the Newfound Area School District.

SB 2, An Act relative to unit ownership of real property.

Eda C. Martin, For the Committee

The report was accepted

Special Order of Business at 11:01

Senator Lamontagne called for it.

It being: SB 79, relative to grants in aid to cities and towns in lieu of taxes on state property.

Majority Report: Ought to pass with amendment.

Amend RSA 90-A:1 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

90-A:1 Appraisal of Land Value. On or before April 1 of each year the state tax commission shall determine the value of all land owned by the state except that used for state highways and that acquired for public recreational or park purposes and land held by the state for operation and development as state forest land. The commission shall not consider the value of buildings, structures or other improvements in or upon the land in determining such valuation. The commission may employ the necessary assistants to make such appraisals and subject to the approval of the governor and council, fix their salaries.

The cost thereof shall be paid from funds not otherwise appropriated.

Further amend the bill by inserting the following new section 2.

2 Appropriation. The sum of twenty thousand dollars is hereby appropriated for the payment of all necessary expenses of making the appraisal, including the payment of the salaries of the assistants employed, provided for by this act. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend the bill by inserting the following new section 3.

3 Legislative Council. This bill, in addition to the studies to be made by the tax commission, shall also be considered by the Legislative Council who shall report to the next session of the Legislature.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

4 Effective Date. This act takes effect July 1, 1965. No payments will be made to towns or cities until December 1, 1967 for the tax year 1967.

Minority Report: Inexpedient to legislate.

Senator Lamontagne moved that the Report of the Minority, Inexpedient to legislate, be substituted for that of the Majority, Ought to pass with amendment, and spoke in support:

"Mr. President, the reason that I came in with the Minority Report on SB 79, and as much as I hate to go against the Senator from the 15th District, I personally believe that Berlin, as well as the smaller towns, are going to be affected by this bill, if passed. It does not seem that it is going to hurt, but in the committee there was supposed to be an amendment to take the 20 thousand dollars out for the Tax Commission to go ahead and do the appraisals and hire some help. For my part, I think this is a little cutie in the amendment, takes effect July 1, 1965, but no payment will be paid to towns or cities until 1967. Now, it is true that the amendment provides that the state will pay in lieu of taxes only on the land and not on the buildings. But the state of New Hampshire owns a lot of property in this

state. As far as I am concerned, this gripe comes from Concord. In the last session of the General Court, the people of Concord were insistent that the Institute be built here in Concord instead of in Manchester. Now they are crying to get some money back on their tax burden. I am sure that Berlin would be glad to accept any buildings and Berlin and the other towns in the north country would be glad to let them have the land without paying taxes, because this creates jobs and right now we are having a lot of trouble for people to find jobs. Our young people have moved away. There are plenty of state jobs and Concord does not have that problem. What is 280 thousand dollars. This is only a foot in and I say this is going to be dangerous for the small towns. This is going to cost the small towns in this state. It will run into millions. Don't let anybody fool you. Before the Committee, there was a proposal to compare New Hampshire with Connecticut. This cannot be done. Connecticut has all these insurance companies and tall buildings and they have more revenue than the state of New Hampshire can get. I believe if this bill had come in here and gone to the Legislative Council, I would never have brought in a Minority Report. But seeing the Majority came in with ought to pass with amendment; 20 thousand dollar appropriation and takes effect in 1965 but money not to be paid back until 1967 — There was supposed to have been another amendment. I oppose this bill."

Senator Waterhouse: "Mr. President, I rise in opposition to the pending motion. The Ways & Means Committee felt that this bill had considerable merit. There were two amendments offered; one, for 300 thousand dollars which the committee turned down and the second, for 20 thousand dollars, simply to have the work done in appraising the land values. The amendment appears on page 1028 of last Wednesday's Journal. We received many letters from all over the State, all in favor of this bill. I think we all understand what the property tax is today and how hard it hits those that are paying it. Section 3 of this bill — it was my understanding that Senator English proposed that and is now willing to withdraw that particular part of that amendment. The bill as amended simply gives appraisal of land value and 20 thousand dollars for the expense. The effective date as been changed, so if after the appraisal, the Legislature sees fit to raise the money to repay that. All this bill does is to appraise all the State owned property in

the State, which the committee felt should be done. I yield to Senator Rinden."

Senator Rinden: "Mr. President, as Senator Waterhouse has indicated, the section asking for referral to the Legislative Council has been withdrawn and the only issue here now is the other amendment as proposed by the committee. The basic principle is whether or not cities and towns should receive aid in lieu of taxes on state property. The basic principle is this — we have cities and towns that have a lot of state owned property. This is a subsidy, one that local city or town to the rest of the state for which they receive nothing in return. This has hit many places very hard. It is not limited to Concord, by any means. Keene, Plymouth — where the College is — a wonderful thing for the town, but does not remove the financial problem. In Durham, also. I have had letters we had witnesses at the hearing from as far as Pittsburg and Jaffrey . . ."

(Discussion ensued)

Senator Gove: "Mr. President, I rise in opposition to the motion now pending. Senator Rinden and I have collaborated very closely in the presentation of this SB 79.

"This bill proposes that the state government make some payment in lieu of taxes to those cities and towns in which state owned property (land) exists as a contribution toward the support of essential public services.

"There are several communities in New Hampshire where this is a major problem.

"Concord is one.

"The problem is aggravated by the fact that New Hampshire relies to such a great extent on the local property tax for the support of public services and the further fact that — comparatively — the state does so little in the form of state aid for the local communities.

"New Hampshire is 50th in the list of states in terms of state aid to local communities as % of local general revenue.

"The United States figure is 28.5%

"The New Hampshire figure is 7.0%

"Likewise state taxes as % of state and local taxes result in a further burden on local cities and towns. In this category New Hampshire ranks 48th in the list of states.

"The United States figure is 49.5%

"The New Hampshire figure is 37.5%

"Continuing this comparison as one means of pointing out the severe burden of the property tax in New Hampshire property taxes as % of total state and local revenue find New Hampshire in the number three position in the 50 states.

"The United States figure is 45.9%

"The New Hampshire figure is 63.3%

"Likewise local communities in New Hampshire get less from non-property taxes as % of total local taxes than is true in other states and here New Hampshire is in 47th place.

"The United States figure is 12.1%

"The New Hampshire figure is 0.9%

"All of these facts are taken from the United States Bureau of the Census publication: Government Finances, published in 1963.

"They are cited merely to support the position that some relief from increasing property taxes in general and especially in communities where state owned non-property tax paying property is a contributing factor.

"In Concord, for example, property taxes in terms of dollars paid are substantially higher than in any other city in the state. They are the highest of any city or town in the Greater Concord Area. It is necessary to express the problem in terms of actual dollars paid in property taxes on property of comparable market value because local tax rates and the local tax base vary so widely as between communities.

"The following facts have been established:

Concord's property tax on a property with a market value of \$10,000 in 1964 was \$384.16.

This compared with \$225 in Berlin which had the lowest tax, on this basis of any of the state's 13 cities.

This compared with \$153.60, or less than half the Concord tax, in the town of Bow which is contiguous to Concord.

"This accounts in part for the fact that population is increasing at a more rapid rate in every town contiguous to Concord than is the city of Concord.

"The figures are found in the table attached to this statement comparing population growth as determined by the U. S. Census.

"This situation occurs in Concord in spite of the fact that the city has adopted just about every rule in the book for good administration to include a complete revaluation of the city for tax purposes and maintenance of tax appraisals at a professional basis. In other words, Concord has done all of those things within its capabilities to solve its own problems.

"And it exists at a time when the City of Concord is faced with several major public improvement projects which will have to be financed through the local property tax or special levies on top of the high property tax.

"This property tax level has a severe adverse effect on both business and the home owner — particularly the latter, many of whom are employees of the state government.

"This is, of course, not a one way street and Concord is well aware of the stabilizing effect that government payrolls have on its economy.

"Concord is very proud of the fact that it has developed, in the last ten years, the most extensive industrial diversification of any area in the state and the further fact that population growth in the Concord Regional Area was more extensive than in any other area of New Hampshire in 1964.

"But this does not alter the fact that in Concord the property tax has become oppressive.

"This bill will not solve the problem. I do not even know what it would mean in terms of dollars if the bill becomes law. But, if it is approved, it will be helpful to some degree.

"It was for these reasons that the Committee Redevelopment Committee of Greater Concord Chamber of Commerce participated in the drafting of this bill and the Chamber's

Board of Directors instructed me to appear here in support of its passage.

"I have limited my statement to the city of Concord. But I am sure that to some degree similar problems exist in other cities and towns where substantial amounts of state-owned property is located.

"The material which I have quoted here was supplied to me by Albert S. Baker and was compiled by the Greater Concord Chamber of Commerce."

Introduction of Guest

As the guest of Senator Buchanan, from Ward 1 of Nashua, Mr. Jerry Parker who is a Page in Washington for our New Hampshire Congressman, James C. Cleveland.

(Discussion of SB 79 continued)

Senator Blaisdell spoke in opposition to the pending motion: "Mr. President, I would say that Senator Rinden did not twist my arm and also, Senator Gove did not twist my arm. The City Council in Keene influenced my views. I think the situation has been well covered by Senators Rinden, Waterhouse and Gove."

Senator Lamontagne inquired: "Are you in favor of passing a law telling the next General Court that they are going to have to appropriate some money to pay in lieu of taxes, the way this bill is written?"

Senator Blaisdell: "I go along with Senator Gove that they can rescind any law that we make. This bill will go to the Finance Committee and they will take care of it. Let's face it — it can be taken care of up there."

Senator Riley: "Mr. President, I wish to speak in support of the pending motion. Senator Blaisdell says 'Let's face it.' Let's kill it here. We all know that we are very short of funds and are in need of many things throughout the State. I think if these pieces of state property are made a burden, maybe they can be allocated to sections that would like to have them. For instance, in Hooksett — it has helped the economy there. I think with the shortage of time and shortage of funds, this legislation is not necessary. Definitely, when the State decides to build

somewhere, it is an asset to the community to have these facilities."

Senator Mitchell: "Mr. President, I wish to speak in opposition to the motion. I have always said that when a State comes into a town and takes taxable land, there ought to be something remain in that town to help the town. I am thinking of the Plymouth. No one wishes to have the college taken from Plymouth, but it does bring a burden to the taxpayers in Plymouth. Back some years ago, we used to truck coal there for the College, some 7 to 8 hundred thousand pounds — that gave work to people there. Now, the oil truck backs up and the oil is pumped in. This does not give any employment to the people of Plymouth. Back then, if you had 25 bushels of potatoes, you could sell them there, but now you have to go before the purchasing agency and put in a bid. They do not bother to do this. I think there should be something remain for the towns. Probably what the State has taken would be at least four or five hundred thousand valuation and I am in favor of the passage of this bill and against the motion to substitute."

Senator English spoke in opposition to the pending motion.

Senator Johnson spoke in opposition to the motion: "Mr. President, it seems to me that this plan has merit, but it is also very clear that at this time our State cannot afford to make payment in lieu of taxes. In 1967, the General Court is going to be asked at that time to put this bill in operation. In 1967, the persons who vote this bill in to operation must know what they are talking about. I feel that at this time, it would be a good thing to have the appraisal made now and in 1967, there can be a vote on this bill."

Question being on motion of Senator Lamontagne to substitute.

On this question, the Chair was in doubt and requested a Division.

Seven Senators having voted in the affirmative, and fourteen Senators having voted in the negative, the motion to substitute was lost.

The amendment by the committee was adopted.

Senator English offered the following amendment: To remove section 3.

On this motion, Senator Waterhouse requested a Division.

Nine Senators having voted in the affirmative, and eleven Senators having voted in the negative, the negative prevailed, and the amendment was not adopted.

Senator Bergeron moved that the bill be amended to strike out the appropriation in the bill.

Senator Bergeron withdrew his motion.

The bill was referred to the Committee on Finance, under the rules.

Announcement by the Chair

“The Chair would ask advice and counsel of the Senate as to what they would like to do relative to the fact that the House has on the Calendar today about 30 bills. It would help to expedite matters if the Senate could stay in the morning session until such time as these bills might be messaged in to the Senate so that they may be referred and this would give us an extra day’s jump on posting hearings, etc. I would judge that this would probably be about 3 o’clock. The Chair would further state that no other business will be taken up except to refer to committee these bills and of course, the usual procedure of third reading.

“The problem is getting them on third reading and although I have not asked the Speaker of the House to do this, I discussed this with him this morning and he did not seem favorable to that idea, and therefore, as you know my policy of not interfering with any House problem, I dropped the matter.”

On motion of Senator English, the Senate voted to stay in the morning session until the receipt of the bills from the House.

Senator Martel — Correction in Journal of last Thursday

Senator Martel: “My remarks on Senate Bill 115 last Thursday, June 10, were left out of the Journal. They were very important remarks. This is the second time that remarks of a similar nature have been left out of the Journal. This time I want them in.

“I stated that under our form of state government, we have three branches: the executive, the legislative, and the judicial.

In the above order, the executive branch holds top place in this hierarchy and well it should.

"The executive, once elected, has a distinct responsibility to have enacted the program which it put before the people at election time and which was supported by them.

"His Excellency, John W. King, Governor of our state, has twice received a mandate from the people; the last time with a plurality of 96,000 votes. The legislative branch, while not necessarily expected to agree 100% with the executive, nevertheless has a distinct responsibility to see the Governor's program adopted and when it refuses to do this, it thwarts the will of the people.

"Speaking not so much as Minority Leader but as a Democrat, I wish to state that I firmly adhere to the policy of the legislative branch supporting the program of the Governor. Acting the way we have been since January of this year is not conducive to serving the best interests of the people of our state.

"Mr. President, on two occasions, while a member of the minority party, I supported both Governor Sherman Adams and Governor Wesley Powell, two Republican chief executives, who requested the support of the Legislature for state government reorganization because I believed that they, having the people's support at election time, we, in the legislature, had a responsibility to enact their programs. If we did not like it, we had but to wait until the next election to show how ineffective the Governor's program had proven to be.

"I repeat: We, in the Legislature, have an obligation to respect and to put in operation that which the executive branch, headed by the Governor, may request of us.

"It is not good government, in my opinion, when the Legislature, under control of one party, refuses to the executive branch, under control of another party, that which it requests in the enactment of Laws which they believe to be in the best interest of or people.

"Rest assured, Mr. President, that if the roles were reversed, I would still stand by these convictions.

"It is too bad that we are going to enact Senate Bill 115 as is today.

"I hope that the House Committee members will find an opportunity to sit down with administration representatives and effect a compromise which would be in the interests of all concerned."

The Chair recognized Senator English: "Inquiry. It has been mentioned in the press that there are considerable sums of money that could be used by the Fish & Game people in New Hampshire which were not taken advantage of. It is apparently not only at the present time, but earlier, that we have not taken advantage of these federal funds. I would ask what this situation is."

The Chair: "I think these same funds were mentioned in the Manchester Union of Thursday last, whereupon the Senate Finance Committee asked the Commissioner and Mr. Dodge if they would appear before the Senate Finance Committee, but both had left for the day. We then asked if they would meet with us on Saturday morning as we planned to close the budget on Saturday. The Senate Finance Committee was informed that both of the men had made previous commitments and could not appear. However, they would be happy to appear on any Monday, Tuesday, Wednesday, Thursday or Friday. I expect that the Senate Finance Committee will hear from them this afternoon and we will be very happy to make report to you on the information that we obtain."

Withdrawal of Request for Committee of Conference

Senator Martin withdrew her request for appointment of Committee of Conference on the following entitled bill:

SB 57, relative to classification of psychiatrists at New Hampshire Hospital.

On motion of Senator Martin, the Senate voted to concur in adoption of the amendment offered by the House on the above entitled bill.

The Chair declared a Recess, subject to the call of the Chair.

(Recess)

The Senate re-assembled.

House Message — First & Second Reading of Bills & Joint Resolutions

HB 185, raising the limit of guaranteed bonds of water resources board. Referred to Finance.

HB 426, relative to penalties for hunters shooting domestic animals. Referred to Fisheries & Game.

HB 453, to permit interchange of government employees. Referred to Executive Depts., Municipal & County Governments.

HB 529, naming the Tenny Mountain Highway. Referred to Public Works & Transportation.

HB 570, relative to the sale of sweepstakes tickets. Referred to Judiciary.

HB 670, relative to the registration of buses. Referred to Public Works & Transportation.

HB 690, relative to recording of action when school district takes land by eminent domain. Referred to Judiciary.

HB 696, to reduce residence requirement to vote for presidential election. Referred to Executive Depts., Municipal & County Governments.

HB 697, amending the charter of the New Hampshire Congregational-Christian Conference and changing the name of said corporation. Referred to Executive Depts., Municipal & County Governments.

HB 703, relative to revocation of hunting licenses for conviction by court of another state. Referred to Judiciary.

HJR 6, in favor of Florence E. Martelle. Referred to Banks, Insurance & Claims.

HJR 25, to provide funds for nursing home care increases for people receiving public assistance. Referred to Finance.

HJR 34, in favor of estate of Agnes Helen Davis. Referred to Finance.

HJR 40, providing deficiency appropriation for board of accountancy. Referred to Finance.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 89, to make the salary of city, town and school district employees subject to trustee process.

The Message also stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 276, providing for an open season on fisher.

and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Bushey of Northumberland, Hunt of Stratford, Brown of Loudon.

On motion of Senator Riley, the Senate voted to accede to the request of the House for a Committee of Conference on the above entitled bill.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Hunter and Riley.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bills:

HB 23, to provide additional retirement to retired members of the policemen's retirement system.

HB 474, to prohibit the taking of lobsters or crabs in Rye Harbor or in the channels of the harbor.

The Message also stated that the House refuses to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 72, relative to the transfer of attorneys between departments.

Bill Recalled from the Committee on Engrossed Bills

On motion of Senator Howard, the Senate voted to recall the following entitled bill from the Committee on Engrossed Bills:

HB 49, to increase the limit of outstanding borrowing by the State.

The Chair stated that there are several major technical changes that need to be made in this legislation.

On further motion of Senator Howard, the Senate voted to reconsider its vote whereby the above entitled bill was ordered to third reading and final passage.

The Chair stated that without objection, he would request that the proposed amendment to the above entitled bill be printed in the Journal.

On motion of Senator Martel, the Senate went into afternoon session.

Afternoon Session

Third Reading & Final Passage of Bills

HB 94, appropriating additional funds for the construction of a residence hall at the University of New Hampshire, and to be liquidated from income.

HB 266, relative to the disposal of garbage and refuse.

HB 267, relative to building and loan associations.

HB 271, to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars.

HB 500, relating to hospital survey and construction.

On motion of Senator O'Gara, the Senate adjourned at 5 p. m.

TUESDAY, June 15, 1965

The Senate met according to adjournment.

A quorum was present.

House Message

The House of Representatives concurs with the Senate in the passage of the following entitled bill, with amendments, in

the passage of which amendments the House asks the concurrence of the Senate:

SB 44, relating to professional engineering.

Amend the bill by striking out section 1.

Further amend the bill by renumbering sections 2 and 3 to read 1 and 2.

Further amend the bill by striking out section 4 and inserting in place thereof the following:

3 Certificates. Amend RSA 319:22 (supp) as amended by 1959, 38:6, by striking out said section and inserting in place thereof the following: 319:22 Expirations and Renewals. Certificates of registration, including those in effect on the effective date of this act, shall expire each year on December thirty-first, beginning in 1966 and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year and the charge for delayed renewal; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of the normal renewal fee as determined by the board. The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of December and before the first day of May of the following year shall be one and one half times the normal renewal fee, and, on and after said first day of May the fee to be paid shall be twice the normal renewal fee. The right of renewal shall be limited to a period of two years from the date of expiration of a certificate. After this period the certificate of a former registrant shall become null and void, but may be reinstated by the board after re-application, payment of a fee of fifteen dollars and after approval of the board. The board, at its discretion, may re-examine said former registrant.

Further amend the bill by striking out section 5 and inserting in place thereof the following:

4 Fees. Amend RSA 319:22-a (supp) as inserted by 1959, 38:7, by striking out said section and inserting in place thereof the following: 319:22-a Determination of Fee. The board shall annually, prior to the first day of December in each year, beginning in 1966, determine the normal annual fee to be paid for renewals of certificates. Said normal renewal fee shall not be less than two dollars nor more than five dollars.

Further amend the bill by renumbering sections 6, 7, and 8 to read 5, 6, and 7.

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

On further motion of the same Senator, the Senate voted to concur in adoption of the amendment.

Introduction of Guests

As the guests of Senator Bergeron, a group of students from the school in Gonic, accompanied by their teachers.

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: SB 116, relative to adoption, administration and enforcement of housing codes by municipalities; and appellate procedures in relation thereto. Ought to pass.

Senator Buchanan: "Mr. President, this bill sets up an Appeal Board and makes it incumbent upon the person appealing the decision to take it to the Superior Court where it will be heard on questions of law. This clarifies the statute and makes it conform to those governing zoning regulations. It was the feeling of those who testified that the statute as it reads at present might jeopardize the eligibility of the cities for further urban renewal grants."

The bill was ordered to a third reading.

Announcement by the Chair

"Yesterday, Senator English made inquiry as to mention being made in the press that the New Hampshire Fish & Game Department was about to lose federal funds because of lack of matching funds by the State. I would ask Senator Johnson for explanation."

Senator Johnson: "Mr. President and members of the Senate, I think some of you have seen an article which was put out by the Fish & Game Commission which stated that the State of New Hampshire is about to lose \$6,000 in federal funds because of the inability of the Fish & Game Department to have the \$4,000 matching funds needed. I think all of us were distressed at this News Letter and consequently the Senate Finance Committee has asked those responsible to speak to us. The balance which is budgeted for June 30, 1965 in the Fish & Game Fund is \$325,000, so it would appear that there was \$2,000 available to match the \$6,000 of federal funds. The Fish & Game Commission has always felt that they need \$250,000 at this time to take care of the lean season of June, July, August and September when licenses are not sold. The Commissioner explained that he has a very conservative commission; that some persons on the Commission are not in favor of research projects. The Commissioner also explained to us that the statement which I had reference to was not meant to imply that the General Court has withdrawn funds because it is perfectly obvious that they have the funds. We talked at some length about the program implementation and we discussed that the thing to do so as not to lose federal funds was to see that projects are laid out and available when these funds are made available. In summary, the \$6,000 which was lost was because of the failure of the Commission or Commissioner to make application for the funds. It is perfectly obvious that there are funds available at this time to take care of the matching funds to meet the federal funds."

Senator English inquired: "Why — that is the question in my mind. Why did they not do it?"

Senator Johnson: "I felt that Why was a matter of interest to me and to the members of the Finance Committee. Why is it that there are some people on the Commission who are not in favor of laying out these projects in advance. Some feel that they must be very conservative. By the figures that I have given you, it seems to make it clear that this is a matter for the Fish & Game Commissioner and not because of lack of funds. They obviously have the funds."

Senator English: "I don't like to prolong this, but it has great interest on the part of the people that I represent. Do I understand that they are going to take steps to correct this matter?"

Senator Johnson: "I think it is fair to say that the Senate Finance Committee felt that it would be wise to have projects on hand, and if federal funds become available, then they should apply and follow this through. At this point, there was no project for which they could apply for these funds. Unless you have on file the project, you cannot take advantage of the funds as they become available. It was pointed out that this is the only State in the northeast that has lost federal funds because of lack of State funds to match. Certainly, the Fish & Game Department does not lack the funds."

Senator English: "It seems to me to be a very awkward aspect. The inference is that the Legislature has not done the right thing; that we have been derelict in this matter and have not made the funds available. I think it is unfair that the Fish & Game has allowed this to happen."

Senator Howard: "The Chairman of the Fish & Game says that this will be retracted by another letter."

Introduction of Guests

As the guests of Senator Blaisdell, a group of "little leaguers" from the Roosevelt School in Keene, accompanied by a group of girls, and their teachers.

Committee Reports (continued)

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 270, amending the checklist requirements for towns over 4,500. Ought to pass.

Senator Buchanan: "Mr. President, this bill amends the checklist requirements for towns over 4,500. This would give more time to the towns to prepare the voting list by changing the time from Saturday before election to the Wednesday before election. Towns under 4,500 have until the day before; cities have until the Saturday before election. There was no opposition and the bill was recommended by the Secretary of State."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 440, relative to the fire-referendum relative to the Coos county court house. Inexpedient to legislate.

Senator Buchanan: "Mr. President, this bill was introduced by Senator Lamontagne, by request. There is some reason why there should be a referendum in Coos County, but the opposition was overwhelming. The logic was overwhelming and from the fiscal and financial viewpoint, the need for referendum at this time was not logical. Due to the extreme opposition, the Committee voted this bill as inexpedient."

The Resolution of the Committee, Inexpedient to Legislate, was adopted.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 440, relative to the firemen's retirement system. Ought to pass.

Senator Buchanan: "Mr. President, this is a relatively simple bill and it simply adds the word 'county' to the present statute which would require the counties to contribute to the firemen's retirement system as well as the towns and cities. I think the existing one is down in Senator English's and Senator Blaisdell's districts. This will simply oblige the county to contribute to these men's retirement."

Senator English: "Mr. President, I wish to take this occasion to pay tribute to this very fine fire-fighting unit. Actually, they are in Troy. They have proved to be of very great benefit to that section of the State and also have offered benefit to other areas. They have quite a program of training and I am happy to add my remarks in behalf of this very fine group of fire-fighters."

Senator Blaisdell spoke in support of the bill and paid tribute to this group.

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 470, relative to the Frisbie Memorial Hospital and the Gafney Home for the Aged. Ought to pass.

Senator Buchanan: "Mr. President, both of these are house-keeping bills of the type that have been reported on previously. This bill covers both of these institutions, both of which are located in Rochester. It would increase the amount for the Frisbie Hospital and remove the limitation on the Gafney Home. There was no opposition and both passed the House unanimously."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 457, relative to the salary of the sheriff of Cheshire County. Ought to pass.

Senator Buchanan: "Mr. President, this bill puts the sheriff of Cheshire County on a salary basis rather than on a fee basis and also authorizes the purchase of a new automobile for his use. There was no opposition and again, it was brought out that the salary that he will receive is approximately the same as he now receives."

Senator Blaisdell: "Mr. President, this bill has the complete support of the Cheshire County Delegation in the House, and also has my support. There was no opposition and I ask that the Senate pass the bill."

Senator Rinden inquired the amount of the salary.

Senator Buchanan replied: "Nine thousand five hundred, I believe."

Senator Blaisdell: "That is right."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 521, relative to the investment of capital reserve funds of cities. Ought to pass.

Senator Buchanan: "Mr. President, this is another house-keeping bill. It changes the present statute to include 'savings department, etc.' The same statute applies to investment of trust funds does include those various banking institutions and this was an oversight. There were 2 omissions in the original bill; 'or in the shares' which is the designation of deposits in cooperative bank building and loan associations and the words 'in good faith' have also been inserted. There was no opposition and it has the approval of the former bank commissioner."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 555, relative to payment of fees by foreign corporations. Ought to pass.

Senator Buchanan: "Mr. President, this bill is simply a bill which changes the time for receiving fees from foreign

corporations. They are now paid in January and April and this bill make it payable at one time of the year — I believe, in April. This bill has the approval of the Secretary of State who sponsored it.”

The bill was ordered to a third reading.

Senator O’Gara, for the Committee on Executive Depts., Municipal & County Government: HB 576, to establish the city of Exeter. Ought to pass.

Senator Buchanan: “Mr. President, at the last town meeting in the town of Exeter, a special town committee was appointed to study this question. This bill incorporates their recommendation and provides for a referendum in the town of Exeter in reorganizing the community as a city. There was no opposition and substantial support for the bill.”

The bill was ordered to a third reading.

Senator O’Gara, for the Committee on Executive Depts., Municipal & County Government: HB 661, relative to the New Hampshire Congregational-Christian Conference. Ought to pass.

Senator Buchanan: “Mr. President, this bill would provide a payment in lieu of taxes on a housing project to be built in East Concord. It has the approval of the City government and also the Tax Commission. They are not asking complete tax exemption. Their feeling was that since the housing will be occupied by older people only, there would be no problem of sending children to school. The buildings will be fireproof and there will be little need for fire protection. Older people do not cause too much trouble, so there will be practically no police protection needed. All concerned felt that this was a worthwhile purpose.”

The bill was ordered to a third reading.

Senator English, for the Committee on Education: HB 202, authorizing McIntosh College, Inc., to grant degrees. Ought to pass.

Senator English: “Mr. President, HB 202 provides for the degree giving of McIntosh College, Inc. If approved by the Coordinating Board of Advanced Education and Accreditation prior to April 1, 1967, it may issue from June 1, 1967 through

June 30, 1969 the degree of associate in Business Science. The bill also provides under similar circumstances for the later granting of a Bachelor of Business Science.

"The Senate will note that this is one more task which evolves upon the Coordinating Board. There has been a great increase in the amount of work assigned this group and I hope the members of the Finance Committee will take note of this and protect their appropriation for they will have an increased work load."

Senator Martel inquired: "Allowing so many new colleges to grant so many degrees — are we not diminishing the importance of our long-standing institutions of learning?"

Senator English: "This is an age of expanding colleges. It is very hard for these new colleges to get started, but they have to start somewhere. In order to be guided in this matter — and to study it — the last session of the legislature established this Coordinating Board of Advanced Education and Accreditation. They are doing a very fine job. They only make recommendation, but their recommendations seem to me and to the members of the committee to be successful."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 104, to prohibit spillage of loose material and fluids on highways. Ought to pass with amendment.

Amend RSA 249:51 as inserted by section I of the bill by inserting at the end the following new paragraph:

IV. The provisions of paragraph I, II, and III of this section shall not apply to a local farmer transporting his own farm products or materials incidental to his farming operations where such transporting requires incidental use of a public highway provided that such farmer shall not thereby be relieved of his duty to exercise reasonable care in carrying on such operations.

Senator Gove: "Mr. President, this bill is self-explanatory in its title. The amendment was put on because of a slight problem in regard to farm people. The farm folk have to travel from field to field to fertilize these fields and there is bound to be some spillage. The main purpose of this bill is to get loose ma-

terial, such as sand, sawdust, and oil from spilling on our highways and creating hazards. This was backed by the highway department and has the support of highway users."

Senator Mitchell inquired as to the penalty.

"Senator Gove: "A fine of not more than \$100."

Senator Mitchell spoke in support of the bill.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Provost, for the Committee on Finance: HJR 41, providing deficiency appropriation for board of professional engineers. Ought to pass.

Senator Howard: "Mr. President, this is a deficiency appropriation in the amount of \$960, to allow the State Board of Engineers to meet a deficit to carry out RSA as amended and the appropriation is charged to the professional engineers."

The joint resolution was ordered to a third reading.

Senator Johnson, for the Committee on Judiciary: SB 110, establishing the Bristol District Court. Ought to pass.

Senator Rinden: "Mr. President, this bill would provide for a district court rather than a municipal court which it now is. It will serve a cluster of towns around Newfound Lake; Bridgewater, Groton, Hebron, etc. The way it is now, the town of Bridgewater, goes out into the center of the lake. At one side, you have one little town and on the other side, another little town. They have to go to Plymouth. It is extremely difficult as it is now. They are asking for a district court. We had unanimous backing for this by the people present and no opposition, whatsoever. This is Senator Johnson's bill and he testified in favor of it and indicated that at the time the district court bill was drafted at the last session of the Legislature, at which he participated, this Bridgewater situation was overlooked and this bill is to correct the errors of the last session. The Committee was very much in favor and felt very strongly that the bill should pass."

Senator Riley: "Mr. President, I rise in support of this bill, for the people of Bristol would be in a difficult situation if the Justice of their municipal court ever expired or retired. This would create a situation whereby they would have to travel

many miles to Plymouth district court. Their part-time police officers would have to go to Plymouth during the court sessions which are held during the day. Thus would cause them to lose time from their regular work. Therefore, they would overlook many infractions of the law so they would not have to go to court. Bristol has a case load of less than 200 cases a year. This bill is an attempt to correct some of the inequities of the district court bill passed in the 1963 session of the General Court. Now, I have grave concern for this bill in the House, for there are persons on the House Judiciary Committee that evidently feel the district court law is without fault. For the town of Hooksett, with a yearly case load of over 600 cases, was recently turned down by the House Committee in its bid for a district court. Hooksett's need for a district court is far greater than Bristol, whose case I feel is also justified. I would hope this district court law will not create a situation whereby political patronage will take precedent over justice."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: SB 114, relative to zoning appeals. Recommend that the bill be referred to the Judicial Council.

Senator Rinden: "Mr. President, there was some difference of opinion among lawyers who are vitally interested in this legislation and we felt that probably the best solution of this problem was to refer it to the Judicial Council for study."

Senator Gove inquired: "Was there considerable opposition to this bill?"

Senator Riley: "Yes, in Concord and elsewhere."

The recommendation of the committee was adopted, and the bill was referred to the Judicial Council for study.

Senator Tufts, for the Committee on Judiciary: SB 118, authorizing cities and towns to increase the maximum salaries of justices in certain areas. Ought to pass.

Senator Tufts: "Mr. President, the salaries of the justice and clerk of the district courts are based upon the population of the town. This will make it possible to raise the salary of the justice and clerk, if the town wishes to do so. The selectmen do not raise the salaries, but the town itself at town meeting may

do so. There was no opposition and the Committee recommends its passage."

The bill was ordered to a third reading.

Senator Johnson, for the Committee on Judiciary: SB 121, relative to limitation on damages recoverable for wrongful deaths. Ought to pass.

Senator Rinden: "Mr. President, the sponsor of this bill could not be here because of a speaking engagement and Senator Johnson asked me to have the bill put over for Special Order of Business for tomorrow at 11:01. He wishes to be heard on this bill."

The motion for Special Order prevailed.

Senator Riley, for the Committee on Judiciary: HB 296, relative to trustee's compensation. Ought to pass.

Senator Riley: "Mr. President, this bill is to limit the fee that trustees may charge to the interest only. The trustees must limit their fees to just the amount of interest and cannot touch the principal."

The bill was ordered to a third reading.

Senator Blaisdell, District No. 10, presiding.

Senator English, for the Committee on Judiciary: HB 478, legalizing the proceedings at the town meetings March 10, 1964 and March 9, 1965, in the town of Stratham. Ought to pass.

Senator English: "Mr. President, this is one of the legalizing bill that Senator Buchanan did not get. This has to do with the town of Stratham where they had complicated wording on the ballot for a 'yes' or 'no' vote. There was minor objection by one person who has withdrawn his objection. This clears the matter up."

The bill was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills, House and Senate Joint Resolutions:

HB 197, An Act relative to credit unions.

HB 244, An Act to increase the powers of Franklin Pierce College and Belknap College.

HB 619, An Act relative to hawkers and peddlers at veterans' meetings or conventions.

HJR 7, Joint Resolution in favor of Mount Washington Observatory.

HJR 24, Joint Resolution providing funds for the commission on interstate cooperation.

SJR 9, Joint Resolution in favor of Richard J. Houle.

Eda C. Martin
For the Committee

The report was accepted.

Resolution

Senator Foley offered the following Resolution:

Resolutions

congratulating

PORTSMOUTH HIGH SCHOOL BASEBALL TEAM

Whereas, The Portsmouth High School baseball team has succeeded in winning the Class L championship of the State of New Hampshire this year and successfully retained their championship; and

Whereas, It was due largely to the wonderful team spirit on the part of all of the players and the hard work of their Coach, Ronnie Woods; and

Whereas, With the winning of this championship, Portsmouth High School has won the three crowns for football, basketball and baseball in Class L competition during the current school year; now, therefore, be it

Resolved, That the State Senate extend its heartiest congratulations to the school, coach and players; and be it

Further Resolved, That a copy of these Resolutions be sent to the above school, coach and players.

The Resolution was adopted.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills & Joint Resolutions

SB 110, establishing the Bristol District Court.

SB 116, relative to adoption, administration and enforcement of housing codes by municipalities; and appellate procedures in relation thereto.

SB 118, authorizing cities and towns to increase the maximum salaries of justices in certain cases.

HB 104, to prohibit spillage of loose material and fluids on highways.

HB 202, authorizing McIntosh College, Inc. to grant degrees.

HB 270, amending the checklist requirements for towns over 4,500.

HB 296, relative to trustee's compensation.

HB 440, relative to the firemen's retirement system.

HB 457, relative to the salary of the sheriff of Cheshire County.

HB 470, relative to the Frisbie Memorial Hospital and to the Gafney Home for the Aged.

HB 478, legalizing the proceedings at the town meetings March 10, 1964 and March 9, 1965 in the town of Stratham.

HB 521, relative to the investment of capital reserve funds of cities.

HB 555 relative to payment of fees by foreign corporations.

HB 576, to establish the city of Exeter.

HB 661, relative to the New Hampshire Congregational-Christian Conference.

HJR 41, providing deficiency appropriation for board of professional engineers.

On motion of Senator Foley, the Senate adjourned at 12:33 p.m.

WEDNESDAY, June 16, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senators English and Gove, Mrs. Julia Barker of the University of Denver, the daughter of Mr. Richard Odell of Temple, who is married to a distinguished citizen from Peterborough.

As the guest of Senator Green, Mrs. Beatrice Carey, formerly State Representative from Ward 9, Manchester, who is also President of the Democratic Women's Club of Manchester.

House Message — First & Second Reading of Bills

HB 274, relative to supervisory unions. Referred to Education.

HB 412, relative to fees for inspection of weights and measures. Referred to Agriculture.

HB 417, relating to fees for registration of motor vehicles, motor cycles, agricultural vehicles and inspection stations. Referred to Ways & Means.

HB 424, relative to use of electric fences. Referred to Agriculture.

HB 452, relative to the council of resources and development. Referred to Resources, Recreation & Development.

HB 465, to provide for hospital rate increases for recipients of public assistance and medical assistance for the aged. Referred to Finance.

HB 584, authorizing the department of education to participate in the federal program under the Vocation Education Act of 1963. Referred to Education.

HB 658, relative to movement of house trailers or mobile homes. Referred to Public Works & Transportation.

HB 677, to repeal charters of certain corporations. Referred to Judiciary.

HB 692, designating February as "American History Month." Referred to Education.

HB 707, relating to property holdings by the people called Friends or Quakers. Referred to Executive Depts., Municipal & County Governments.

The Message also stated that the House of Representatives has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 100, relative to appointment of process agent by foreign corporation.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 271: to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars.

The Message also stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate: HB 267, relating to building and loan associations and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House of Representatives: Reddy of Hopkinton, Kimball of Newfields, Cox of Merrimack.

On motion of Senator Buchanan, the Senate voted to accede to the request of the House for appointment of a Committee of Conference on the above entitled bill.

Pursuant to the above, the President appointed as members of such Committee of Conference on the part of the Senate, Senators Buchanan and Bergeron.

Committee Reports

Senator Saggiotes, for the Committee on Labor: HB 299, to remove employees working under the federal minimum wage law from the provisions of the minimum hourly rate, and to remove children working for their parents, and spouses working for each other, from the provisions of the minimum wage law. Ought to pass.

Senator Saggiotes: "Mr. President, this bill removes employees that are working under the federal minimum wage law from the minimum hourly rate as regulated by the laws of the State of New Hampshire. However, if any hourly rates established by the New Hampshire laws are higher than those under the federal law, they shall prevail. This bill also allows parents, grandparents, and guardians of children to employ a child and not have him come under the minimum hourly wage rates, so long as they furnish full maintenance to the child. The same would apply to a husband or wife that is working for the other and does not expect or claim pay, other than the support derived from the spouse's profit in the business. There was no opposition to this bill."

The bill was ordered to a third reading.

Senator Saggiotes, for the Committee on Labor: HB 552, relative to benefits and taxing provisions under the unemployment compensation law. Ought to pass.

Senator Saggiotes states that he would yield to Senator Martel.

Senator Martel: "Mr. President,

"Section 1 of Bill. The proposed amendment adds three higher annual earnings classes and provides new maximum weekly benefit amounts for individuals who have \$3,900 or more in annual earnings.

"The Bill would pay to those individuals earning from \$3,900 to \$4,200, \$46 weekly rather than the present \$45 weekly.

"The Bill would pay to those individuals earning from \$4,200 to \$4,500, \$47 weekly rather than the present \$45 weekly.

"The Bill would pay to those individuals earning \$4,500 and over, \$49 weekly rather than the present \$45 weekly.

"The present maximum weekly benefit amount payable is \$45. Section 1 of the Bill would create a new maximum weekly benefit amount of \$49.

"Section 2 of Bill. This proposed amendment would restate the present so-called "able and available for suitable work" provision of the Law in much briefer form. Much of what is in the present section 3-C is contained in the elements of suitable work now found at section 4-E of the Unemployment Law. The proposal will under certain conditions require an individual who is unemployed to do more than simply report to the Employment Office. The Department of Employment Security is involved in no more than 10% of all the job hirings in the State in any given year. The Department assists employers to a much greater degree in certain types of industry than others. This provision fairly states the present administration of the Unemployment Law as it relates to availability for work.

"Section 3 of Bill. This proposal would require an individual who is found by the Department to have been discharged for misconduct connected with his work and/or who has failed without good cause to apply for available suitable work, to work in each of three weeks and earn in each an amount equal to his benefit rate plus \$3. This is the same statutory provision now applicable to an individual who is found to have voluntarily left his work without a reason attributable to his employer.

"At the present time, an individual who is discharged for misconduct connected with his work is penalized for the week in which the discharge occurs and the next three weeks and, in addition, an amount equal to three times his maximum weekly benefit rate is reduced from his maximum entitlement for that benefit year. At the present time, an individual who is found to have, without good cause, refused an offer of suitable work is penalized for the week in which the refusal occurs and the next three weeks. It is believed that the three matters are closely related in substance and in their nature, and thus the same method of requalifying for unemployment benefits should apply in each of the three situations.

"Sections 4 and 5. Repeal the paragraphs relative to misconduct and suitable work disqualifications, *because* they are both now, in the bill, in section 4-A of the law. This was done because the manner of 'lifting' the disqualification will be the same.

"Section 6 of Bill. This provision will permit the Department to obtain information from an employing unit or employer where the Department believes that a claimant's reason for leaving such employing unit or employer may be material to his claim for benefits.

"Section 7 of Bill. This provision would increase the per diem paid to the Management and Labor representatives on the Appeal Tribunals of the Department from the present \$20 to \$25 per day while sitting to hear and decide appealed claims for benefits. The per diem of \$20 has been in effect since 1955. It has now come to the point where a financial loss results when a considerable number of appeal tribunal members are required to forego a day's work for the \$20 payment.

"Section 8 of Bill. This provision is concerned with the balance of the Unemployment Trust Fund out of which all benefits are paid and is directly concerned with the tax rates levied on employers.

"The proposed section (4) (a) would raise the present fund balance figure of twelve million dollars to eighteen million dollars, so that if the fund fell to eighteen million dollars or less, no employer in the State would be entitled to a rate lower than 2.7%. In short, no merit (reduced) rates would be allowed.

"Paragraph (b) raises the present fund balance figure of twelve million dollars to over-eighteen million dollars in order for the least favorable merit rate schedule to apply. This is schedule to apply. Schedule II is currently found at section

"Paragraph (c) would raise the present fund balance figure of eighteen million dollars to require the fund balance to exceed twenty million dollars in order for the most favorable schedule to apply. Schedule II is currently found at section 6-D (9) of the statute.

"Paragraph (d) would insert into the Law a provision imposing upon all employers a .15% tax whenever the fund equals twenty-two million dollars but fails to equal twenty-four million dollars during any fifty days during a calendar quarter. The .15% tax would apply for the calendar quarter following such quarter.

"Paragraph (e) would insert into the Law a provision imposing upon all employers a .3% tax whenever the fund equals

twenty million dollars but fails to equal twenty-two million dollars during any fifty days during a calendar quarter. The .3% tax would apply for the calendar quarter following such quarter.

“Paragraphs (f), (g) and (h) provide for rate decreases in the amounts of .15%, .3% and .5% whenever the fund equals or exceeds twenty-seven million dollars, twenty-nine million dollars and thirty-one million dollars, respectively. These three provisions are anticipatory of a proposed change in the taxable wage base under the Federal Unemployment Tax Act from the present \$3,000 to some higher figure. There are currently in Congress proposals to increase the taxable wage base to some figure over \$3,000 for the purposes of the Federal Unemployment Tax Act under which all State Unemployment Compensation Laws operate. There is a strong feeling that either in 1965 or in 1966 Congress may increase the wage base. If the Federal Unemployment Tax Act is so amended, the taxable wage base under the New Hampshire Unemployment Compensation Law will automatically be similarly ‘amended.’

“Paragraph (i) provides that the increases and decreases in the rates provided in paragraphs (a) through (h) of this proposal shall not be cumulative; that is, each rate change is computed in connection with the rate otherwise applicable.

“Paragraph (j) provides for the absolute minimum rate available to any employer under any circumstance. This minimum rate is set at .15%. The present rate applicable under the Law is .3%.

“*Section 9 of Bill.* This provision will permit an employer whose experience (with regard to taxes paid, unemployment benefits charged to his account and average annual payroll) has caused him to pay taxes at either 3.5%, 3.7% or 4%, to be able, if his experience within the last five calendar years warrants, to have his tax rate reduced. In short, this provision attempts to offer some hope to employers with so-called ‘bad’ experience in the distant past to get down from their present high tax rates. This should be some inducement or incentive for them to attempt to even out their employment and to produce fewer layoffs during slack periods.

“*Section 10 of Bill.* This provision would provide bonds, each in the amount of \$150,000, for the Commissioner and the Deputy Commissioner. Cost of the bond would be borne by

the Department's administration fund which consists solely of grants to the State by the United States of America. At the present time neither the Commissioner nor the Deputy Commissioner is bonded. All authority under RSA 282 rests with the Commissioner and in turn with the Deputy Commissioner. No State appropriated funds as such would be involved in the purchase of the bonds.

"Section 11 of Bill. This provision as amended requires every employer subject to the State Unemployment Law to make his records available in the State of New Hampshire for the purpose of examination and audit. The provision, however, permits the Commissioner to allow records to be maintained physically in another state and to be examined in that other state at the discretion of the Commissioner, but the cost of such examination outside the State to be paid for by the employer concerned. Many interstate employers do business in the State of New Hampshire. These employers maintain central offices relative to fiscal matters outside this State. The records are kept through very sophisticated and very large and heavy machinery. The records which these employers have cannot be examined or read by Department personnel in the State of New Hampshire. Examination and audit of such records require compatible machinery and equipment for such purposes, and these can be found only in the employer's fiscal center. In short, the matter of record-keeping has now become an activity outside penned entries in books and ledgers, and this provision is an attempt to keep up with the situation, but to require the employer involved to pay whatever cost is incurred if the Commissioner elects to go outside the State for examination and audit.

"Section 12 of Bill. This provision is basically in the statute at the present time but one matter is added and that is that policy statements, opinions, instructions and advice among Department personnel cannot be obtained for any use outside the Department. The Department is presently subject to harassment and very expensive and extensive lost time by subpoena reaching unrelated and irrelevant records in court cases. At the present time, the Department must obey the subpoena by gathering all the subpoenaed records and by the presence of the individual subpoenaed, which in the normal case must be either the Deputy Commissioner or the Commissioner even though the records generally cannot be introduced once sub-

poenaed. The proposed change contained in the present section 9-M(7) would prohibit the use of a subpoena in such regard.

"Section 13 of Bill. This provision would increase the per diem paid to the Public, Management and Labor representatives on the Department's Advisory Council from the present \$20 to \$30 per day. The last change in per diem was in 1955.

"Section 14 of Bill. This proposal would amend the statute relative to summary judgment so as to include matters arising under the State Unemployment Law. At the present time, only matters founded on contract are permitted to be the subject of the summary judgment statute. The Department brings well over 100 actions per year for the collection of debts to which there is absolutely no defense, and it is this type of case which the Department would like to be made the subject of the summary judgment proceedings. The result would, of course, be a much more rapid and less expensive proceeding and handling of the cases.

"I am 100% for the bill. I could say much more, but I think this pretty well covers it."

Senator Lamontagne inquired: "What is the feeling of management and labor on this?"

Senator Martel: "This is the crux of the matter. Management and labor get together between sessions and discuss and decide on legislation that should be introduced at the next session of the General Court. I represent labor — organized labor. This is a bill that has the blessing of the Advisory Council membership and in my estimation, merits 100% support."

The bill was ordered to a third reading.

Senator Saggoites, for the Committee on Labor: HB 469, relating to minimum wages of persons engaged in municipal public works projects. Inexpedient to legislate.

On motion of Senator Saggiotes, further consideration of the above bill and Committee Report was made a Special Order of Business for Monday next at 11:01 o'clock.

Senator Riley, for the Committee on Resources, Recreation & Development: HB 321, relative to future water supplies for the city of Manchester. Ought to pass.

Senator Tufts: "Mr. President, this bill is a step in the orderly process of procuring water for the city of Manchester. They have been working on a very far-seeing program and this bill will give them further rights to obtain land for their water supply. The Committee recommends its passage."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Resources, Recreation & Development: HB 579, increasing penalties for violations of rules and regulations at state forests and reservations. Ought to pass.

Senator Tufts: "Mr. President, the maximum penalty for violation of rules and regulations at state forests and reservations at the present time is \$25. This was established at about the same time the State Parks were enacted. The amount was considered ridiculous in this present day and age. The maximum is raised to \$200. The Committee urges its passage."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Resources, Recreation & Development: HB 606, providing for the acquisition of a certain dam and water rights on the Suncook River by the water resources board. Ought to pass.

Senator Tufts: "Mr. President, the State of New Hampshire is asked to take over this dam for the sum of \$1. It seems in the best interest of the State of New Hampshire that the state acquire this dam and water rights and this is what the bill will accomplish."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Resources, Recreation & Development: SB 85, relative to the town of Hampton Municipal Development Authority. Ought to pass.

Senator Tufts: "Mr. President, the town of Hampton has voted a separate area of the marshes to be developed by a municipal authority. The town meeting has further voted that a separate percentage of these marshes, as spelled out by the bill, shall be turned over to the conservation committee for the preservation of this area in its natural state. There was an agreement made between the town and the conservation committee."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Resources, Recreation & Development: SB 83, relative to the New Hampshire State Port Authority and the operation of air transportation facilities. Ought to pass with amendment.

Amend the title of the bill by striking out in line 2 the word "transportation" and inserting in place thereof the words "navigation and land transportation" so that the title as amended shall read:

AN ACT

relative to the New Hampshire State Port Authority and the operation of air navigation and land transportation facilities.

Amend section 1 of the bill by striking out in lines 1 and 5 on page 1 and in line 1 on page 2 the word "transport" and inserting in place thereof the words "navigation and land transportation" so that said section, as amended, shall read:

1 Operation of Air Navigation and Land Transportation Facilities. Amend RSA 271-A:2 (supp) as inserted by 1957, 262:1 and amended by 1963, 181:2 by adding at the end the following new paragraph: IV. Plan. develop, maintain, use and operate air navigation and land transportation facilities within a fifteen mile radius of the Port Authority Headquarters at Portsmouth. Cooperate with departments, agencies or commissions of the federal, state or local governments and accept grants, aids or services from such agencies in the carrying out of this purpose. Such authorization relating to air navigation and land transportation facilities shall include and be governed by all other provisions of this chapter.

On motion of Senator Tufts, the reading of the amendment was dispensed with.

Senator Tufts: "Mr. President, the amendment merely is a clarification of some wording, as to air transportation facilities, substituted for a very simple phrase."

The amendment was adopted.

Senator Tufts: "Mr. President, the New Hampshire Port Authority has been operating the seaport of Portsmouth, Rye and Hampton, the three ports that we have. Now, they are looking forward to the time when they may move into the air transportation. They are looking to the future. This merely gives the

Port Authority the right to operate in these areas when the time comes."

Senator English inquired: "Is there some basis for appearing for the future? Otherwise, it would seem that this proposition could be taken up when this becomes more current."

Senator Tufts: "The Port Authority feels that they are the people who should operate when the time comes. As you know, there is concern about the Portsmouth Naval Shipyard and the Pease Air Force Base. If those two operations should be shut down, the property authority should be ready to operate. This decision was made by the Port Authority and considered by this Resources, Recreation & Development Committee."

Senator Hunter: "Mr. President, Maine and Massachusetts Port Authority have the authority to operate, particularly freight transportation. The Massachusetts Port Authority operates the one just before entering Boston and the New York Authority has all the airports under its jurisdiction. The fact that the Pease Air Base could be closed, it is hoped that the Port Authority would be ready when that happens to accept this airport and take care of freight facilities, at least. We are attempting to have a free port. This means that as freight is shipped from another area, which cannot be taken care of and is left there for some time. We are endeavoring to do that with the Airport which now is the Pease Air Base, which we understand will be phased out within the next few years. At that point, the government will no longer want the airport there and we are prepared for that time, so that there will be someone with authority to operate it as is done in New York, Massachusetts and Maine."

The bill was ordered to a third reading.

Senator English presiding.

Senator Riley, for the Committee on Resources, Recreation & Development: HB 460, providing for the classification of certain surface waters of the Suncook River watershed. Ought to pass with amendment.

Amend the bill by striking out paragraph II of section 1 and inserting in place thereof the following:

II. Suncok River and all of its tributaries, except those in Paragraph I, in the towns of Allenstown, Chichester, Deerfield, Epsom, Gilmanton, Loudon, Pembroke, and Pittsfield,

from White's Dam just above the village of Pittsfield to the confluence with the Merrimack River, Class B-1.

Senator Tufts: "Mr. President, this bill does provide for the classification of the waters of the Suncook River from Pittsfield to the Merrimack. The towns with municipal sewage systems have been planning for the removal of their wastes into this river so they are already taking the proper steps for this classification."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Resources, Recreation & Development: Concurrent Resolution relating to limited accommodations for trailers at White Lake State Park.

Whereas, there is a rapidly growing trend to camping by trailers, and

Whereas, larger numbers of trailers are used by campers coming to New Hampshire, and

Whereas, there are presently limited accommodations for trailers at White Lake State Park, and trailers are constantly being turned away for lack of space, now, therefore, be it

Resolved, by the House of Representatives, the Senate concurring, that the Division of Parks of the Department of Resources and Economic Development be and hereby is advised that it is the consensus of the General Court that immediate consideration be given to provide ample sites suitable for trailer camping at White Lake State Park, and be it further

Resolved, that a copy of this resolution be submitted to the Governor and the Executive Council.

Ought to pass.

Senator Tufts: "Mr. President, this Concurrent Resolution directs the Division of Parks to recognize the need of more trailer areas at White Lake State Park and the Director of Parks told our Committee that this was one of the earlier state parks and therefore the need for up-dating was apparent and that they did plan to increase the space and provide for the influx of trailers that we now have."

The Concurrent Resolution was adopted.

Introduction of Guests

As the guests of Senator English: Mrs. Errbb, Mrs. Huntington, Mrs. Aldrich, Mrs. Cook, Mrs. Powers and a group of 5th and 6th grade students from the Pierce School of Bennington.

Committee Reports (continued)

Senator Martin, for the Committee on Judiciary: HB 340, relative to larceny or unauthorized use of a motor vehicle. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Revocation of License or a Certificate. Amend RSA 262 by inserting after section 39 the following new section: 262:39-a Revocation for Operation without Consent or Larceny. Upon a final conviction of a violation of RSA 263:82 or upon a final conviction of larceny of a motor vehicle, the court shall report to the director who shall immediately revoke the license of the person so convicted, or the right of a non-resident so convicted to operate within the State of New Hampshire, and said court in the case of holders of New Hampshire licenses shall return such license with his findings marked thereon, together with the court return, to the director, and the director shall revoke the license of any person who shall be convicted of a similar offense by a court of any other state. No new license or certificate shall be issued by the director to any person: (a) convicted of a violation of section 82 until after one year; or (b) convicted of larceny of a motor vehicle until no earlier than two years and no later than five years, as the court shall direct; both from the date of final conviction.

On motion of Senator Martin, the reading of the amendment was dispensed with.

Senator Martin: "Mr. President, the amendment to HB 340 changes the penalty for larceny of an automobile from the now-existing five years to a term of not less than two years and not more than five years at the court's discretion, and leaves unchanged the one year loss of license for unauthorized use of an automobile."

The amendment was adopted.

Senator Martin: "Mr. President, this bill was voted by the Committee as 'Ought to Pass with amendment.' When a car is taken without authorization, but the intent is not to keep it, but merely to take a ride, the person so convicted shall lose his license for a period of one year. If the intent is to keep it, however, and the person is convicted of larceny of an automobile, he shall lose his license for a period of not less than two years, nor more than five years. The purpose of this bill is to deter anyone from 'borrowing' a car without authorization."

The bill was ordered to a third reading.

Senator Martin, for the Committee on Judiciary: SB 113, relating to fees deposited with the superior court. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

relating to funds deposited with the superior court.

On motion of Senator Martin, the reading of the amendment was dispensed with.

Senator Martin: "Mr. President, the amendment to this bill is merely changing the word 'fee' to 'funds'.

The amendment was adopted.

Senator Martin: "Mr. President, the bill settles the question of the disposition of the interest on money deposited with the superior court. According to Mr. Bartlett, a County Commissioner from Rockingham County, it takes about one-half of one clerk's time (roughly) to keep track of this money which is held in safe keeping. This bill amends RSA 499 and allows interest on funds deposited in the superior court to be credited to the county in which these sums are deposited and will pay for the cost of the bookkeeping."

The bill as amended was ordered to a third reading.

Senator Lamprey presiding.

Senator Hunter, for the Committee on Fisheries & Game:

HB 426, relative to penalties for hunters shooting domestic animals. Ought to pass.

Senator Hunter: "Mr. President, this bill is simple. It is in the same category as shooting people. As has been the case, many hunters are not diligent about what they are shooting at. They have been shooting domestic animals. It puts a fine on the shooting of domestic animals. There were five people at the hearing who told unique stories and showed a very great need for some protection. The Committee was in favor of this control. As such, I would hope that you would pass this bill."

The bill was ordered to a third reading.

Senator English presiding.

Senator Provost, for the Committee on Finance: HB 71, appropriating funds for the state nursing scholarship program. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Appropriation. The sum of thirty-five thousand dollars is hereby appropriated for the biennium ending June 30, 1967 for the purpose of providing funds to carry out the provisions of RSA 326:30, 31 and 32. The sum hereby appropriated shall be available as of July 1, 1965, and the governor is authorized to draw his warrant for the said sum out of any money in the treasury not otherwise appropriated.

Senator Lamprey: "Mr. President, the bill is for 35 thousand dollars for nursing scholarships. Actually, this is for only one year of the biennium because a federal program is going to come along that is going to be much more liberal than our present program. We felt that it was safe to appropriate only for one year. That is pure and simple the reason for the cut. We do not feel that people will be drawing on this after the first year of the biennium."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 157, relating to the establishment of community mental health programs and state aid therefor. Ought to pass with amendment.

Amend RSA 126-B:6 as inserted by section 1 of the bill by adding at the end of the section the following, or the coordinator of community mental health services with the approval

of the director, so that said section as amended shall read as follows:

126-B:6 Application for Assistance. Any city, county, town, or non-profit corporation, administering a mental health services program may apply for the assistance provided by this chapter by submitting annually to the director of mental health its plans and budget for the next fiscal year. No program shall be eligible for a grant hereunder unless its plans and budget have been approved by the director of mental health or the coordinator of community mental health services with the approval of the director.

Amend RSA 126-B:7 as inserted by section 1 of the bill by striking out in lines four and five the words "during the first three months of the fiscal year" and inserting in place thereof the following, quarterly, so that said section as amended shall read as follows:

126-B:7 Allocation of Funds. At the beginning of each fiscal year the commissioner of health and welfare shall allocate funds to the mental health programs for disbursement quarterly in accordance with such approved plans and budgets and upon receipt of signed contract or agreement with the community organization to provide the services listed in section 2. The director of mental health reserves the right to audit both the program and the financial aspects of the projects.

Amend RSA 126-B:9 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

126-B:9 Uniform Fees. The coordinator of community mental health services, with the approval of the director of mental health, shall establish a uniform schedule of fees, taking into account ability to pay, and all community mental health programs to which a grant is made pursuant to this chapter shall charge all recipients of their services the fees so established, provided that no one shall be excluded from receiving said services because of race, color, religion or inability to pay.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Appropriations. For the purpose of providing funds for state grants-in-aid under the provisions of RSA 126-B there

are hereby appropriated for the fiscal year ending June 30, 1966 the sum of one hundred fifty thousand dollars and a like sum for the fiscal year ending June 30, 1967. These sums are in addition to the sums appropriated in the budget bills for each of these two years. The sums hereby appropriated shall not be expended for any purpose other than for purposes authorized by RSA 126-B. The sums hereby appropriated shall be a charge upon the general funds.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Takes Effect. This act shall take effect July 1, 1965, excepting RSA 126-B:9 which shall take effect January 1, 1966.

On motion of Senator Lamprey, the reading of the amendment was dispensed with, same having been printed on Pages 1114 and 1115 of the Journal.

Senator Lamprey: "Mr. President, the changes that were made by the Finance Committee are technical, except in one section. The application for assistance, under the present law, provides that it must be approved by the Director. We felt that this should be approved by the Coordinator, if the Director was not in, such as is the case at the present time, and that it would get a more thorough going over then if relied upon by a temporary Director, such as is true at the present time. The second change is in the allocation of funds. The funds shall be allocated on a quarterly basis, rather than on a first three months of the fiscal year basis — simply to see that the programs are operating efficiently. The next change, which is the only major change, is uniform fees. At the present time, there is no conformity of fees and the Finance Committee felt that people in Portsmouth, Rochester, Claremont, or Conway all should pay the same fee if a fee is to be charged. This does not mean that a fee has to be charged. but if they do charge a fee, then the psychiatrist would expect to receive the same fee, no matter where in the State the people received the community mental health assistance. The appropriation is the same as the bill provided—\$300,000 extra. There is \$300,000 in the budget. This means that there is a total of \$600,000. The appropriation shall lapse after the first year of the biennium, and this is the case in practically every piece of legislation that is passed. That section which sets up a standard fee takes effect January 1, 1966, so that

will give them ample time for them to reach agreement. Otherwise, the act goes into effect July 1, 1965."

Senator Martel inquired: "Has there been any changes made in this bill that would take any authority from the Governor and Council?"

Senator Lamprey replied: "Absolutely not."

At the request of Senator Martel, the president declared a two minute Recess.

(Recess)

The Senate re-assembled.

The amendment to HB 157 was adopted, and the bill as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation:

HB 389, to provide for the use of distinctive flags or distress signals by handicapped or paraplegic operators of motor vehicles. Ought to pass.

Senator Gove: "Mr. President, this bill had a public hearing yesterday afternoon at which time, several proponents appeared. This provides that the Director of Safety should design a distinctive flag that can be had by people who are handicapped, wearing braces, etc., so that in case of emergency, they may put out this flag, which in effect, says help. Obviously, the police would stop and fix their tire or lend assistance in any way needed. It seemed a very worthwhile type of legislation and there was no opposition."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation:

HB 572, relative to the vehicle equipment safety compact. Inexpedient to legislate.

Senator Gove: "Mr. President, this bill was also heard yesterday and there was no support for it whatsoever and some degree of opposition. The sponsor of the bill was prevailed upon to come and testify and there appeared to be no need for this bill at all. In fact, this would put sand in the gears of progress

in that it would delay the effect of the safety measures in new cars. The Committee was unanimous in this resolution."

The recommendation of the Committee, Inexpedient to legislate, was adopted.

Senator Lamontagne, for the Committee on Public Works & Transportation:

HB 625, relating to operators' and chauffeurs' licenses, the age of school bus operators, and conduct after a motor vehicle accident. Ought to pass.

Senator Gove: "Mr. President, again, this bill has to do with incorporating some of the regulations of the Uniform Motor Vehicle Code in our statutes. The net effect is to have New Hampshire more in conformity with other states. In some areas, our Motor Vehicle Codes are superior to the national codes and in others, they are not. A study was made by the Commissioner of Safety, Mr. Rhodes, and Mr. Gould, and interested people in the highway users group. The bill also changes the effective date of operators' and chauffeurs' licenses. It increases the age of school bus operators from 18 to 21, which we felt was a good step and it also spells out in a more uniform way the conduct of citizens who are involved in accidents. The Committee was unanimous in its approval and urges the passage of the bill."

Senator Lamontagne: "Mr. President, I wish to bring out one point that I believe is very interesting. It is that from now on, only one license will be needed to operate a motor vehicle from another state. At the present time, I have three licenses, but I will not have to do this any more. I will have to buy my license where I reside only."

The bill was ordered to a third reading.

Introduction of Guests

As the guest of Senator Martel, one of his constituents from Ward 13 in Manchester, Mr. Richard Danforth.

Committee Reports (continued)

Senator Provost, for the Manchester Delegation:

SB 102, increasing the number of fire commissioners for the city of Manchester. Ought to pass with amendment.

Amend the bill by striking out section 3 and inserting in place the following:

3 Takes Effect. This act shall take effect sixty days after its passage.

Senator Provost: "Mr. President, what this bill does is to increase the fire commissioners from three to five members. Right now, we have 10 other commissions in Manchester, all with five members, and this has worked out very well. The amendment changes the takes effect date from January 2, 1966 to 60 days after passage."

Senator Martel inquired: "Does this mean an increase on the part of the city?"

Senator Provost: "Yes, three hundred dollars a year."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Provost, for the Manchester Delegation: SB 103, increasing the number of highway commissioners for the city of Manchester. Ought to pass with amendment.

Amend the bill by striking out section 3 and inserting in place thereof the following:

3 takes Effect. This act shall take effect sixty days after its passage.

Senator Provost: "Mr. President, this bill does the same as above — increases the number of highway commissioners from 3 to 5 and the amendment to take effect 60 days after passage, is the same as above."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 23, An Act to provide additional retirement to retired members of the policemen's retirement system.

HB 474, An Act to prohibit the taking of lobsters or crabs in Rye Harbor or in the channel of the harbor.

SB 89, An Act to make the salary of city, town and school district employees subject to trustee process.

HB 271, An Act to authorize purchases by the director of the division of purchase and property without competitive bidding on purchases of less than five hundred dollars.

Eda C. Martin
For the Committee

The report was accepted.

Special Order of Business for 11:01

Senator Johnson called for the Special Order.

It being consideration of the following entitled bill and Committee Report:

SB 121, relative to limitation on damages recoverable for wrongful deaths. Ought to pass.

Senator Johnson: "Mr. President, if a person leaves a wife and children, then it is possible for the court to bring back an award which is fair in the case without any suit."

Senator Bergeron: "How long since this limitation has been increased?"

Senator Johnson: "1963."

Motion being: Shall the bill be ordered to a third reading.

On a *viva voce* vote, the Chair was in doubt and requested a Division.

Seven Senators having voted in the affirmative, and eleven Senators having voted in the negative, the negative prevailed, and the motion did not carry.

Senator Johnson moved reconsideration and urged the Senate to vote yes.

Senator Johnson: "Mr. President, the first thing that we should understand is what is a wrongful death. This involved a murder, manslaughter or assault and battery, or a careless act. That is what we are dealing with. People who murder, Under the present law, if a person is involved in one of these actions and kills somebody, the maximum is \$40,000. To go

back to the history of this matter, in England at the time our country was founded, there was no recovery. This was changed in England by statute. It set limitations. In this state, the maximum recovery is \$40,000. All fifty states had a limitation as we have in New Hampshire. Since that time, 37 states have taken off the limitation in cases of wrongful death. Every year, one or two states take off this limitation. At this time, let's take a look at accidents. 50% of them are caused by drinking. Over half, death is to the innocent party. Now, what happens if you bring suit? If you bring suit today in New Hampshire, despite how it happened or the size of his family, you can get \$40,000 maximum. Suppose the person is not killed, but is injured — perhaps his back is broken — the court can allow any amount. In one case, an award was made by the court, \$87,000 for a broken hand. But if they are killed, the maximum is \$40,000. This does not make any sense to me or to anybody who has thought about it very long. Thirty-seven of our states have gone along with this legislation. If you are injured, the court may award any amount, but if you are killed, the maximum is \$40,000. Let's think about it. You have a young doctor who makes \$25,000 a year and has three or four kids — an innocent person — who is killed, perhaps by a drunken driver. You are faced with the fact that in New Hampshire, the maximum is \$40,000. Of course, if you get a lawyer, he will take his legal fee of at least one-third of the money. If the case is tried, then you will have the cost of litigation and as a consequence, what the widow will get is about \$25,000 net. So they say, here is \$25,000 now and you will be spared all the trouble of going through this trial and of course, you may lose. There has been a lot of talk that the rates will soar. Vermont has passed this legislation, and their rates have not soared. People say 'you have few of these cases.' But when this happens, it is a tragedy. There are 120 doctors in my home town, with lots and lots of kids and if they are killed, the maximum is \$40,000 which will mean nothing in educating them. We have faith in the jury system and that they can set the awards in all other cases in this way, but not in a death case. The jury, where a paraplegic is concerned and that paraplegic faces the jury — they can set any figure. But in the case of death — \$40,000. The question was asked if this bill was introduced in the 1963 session. Yes, it was, by me. At that time, it was \$25,000 and \$10,000, which was even more ridiculous. But, being young and naive, I was faced with the insurance lobby and then I said 'I'll be

back and I'll put this bill in again.' I think, in general, what we have to do is try to look at the situation from the point of view as to the number of people that are going to be involved here. Representatives of an insurance company told me that I must have \$100,000 in insurance. The same company has people who come down here and haggle that \$40,000 is enough for anybody. Last year, I talked with the President of the Hartford Insurance Company about this thing and his reply was that 'we cannot control our lobbyists.' The general concept is that as long as New Hampshire wants to be silly enough to stay with those states that operate this way — This is a silly provision in the law that we now have, so I would hope that you would reconsider your vote and join the 37 states that have seen the justice that the jury may have the authority to set the award in case of injury, but in death, they lose their senses."

Senator Hunter: "Mr. President, I would like to say that this profound eloquence certainly puts me in the position of knowing that our honorable member understands his insurance business, but I would point out that it puts all of us in the same category. We like to think that we might have a greater value. I happen to know that a cow was valued at \$40,000. So not being able to set a limit on my value, I second the motion for reconsideration.

Senator Johnson: "It takes the limit off involving dependents, but leaves it on where there are no dependents."

Senator Bergeron: "I am confused. I could not separate whether you were really concerned for the widows or the lawyers. Which is it?"

Senator Johnson: "I am glad you brought that up. In the first place, as I have said, we are counsel for several insurance companies. It would be my best guess that if this bill should pass, you would have fewer cases. You have some who never see any lawyer at all. My concern is with the widows absolutely and completely."

Senator Bergeron: "I do not know much about the insurance business, but I do know that it would affect the people in New Hampshire they would be paying the freight with the insurance companies."

Senator Lamontagne: "You keep referring back to the intoxicated operator of a motor vehicle. What about the person who has an accident and is not intoxicated?"

Senator Johnson: "Under New Hampshire law, you must prove that the person causing the accident was negligent, reckless in his driving, etc., but I would point out to you that one-half of the deaths come from drunken driving. The insurance rate in Vermont is not a bit higher than it is in New Hampshire."

Senator Lamontagne: "You talk about the 50% that is going to be involved under intoxication. What about the people who have accidents without being intoxicated?"

Senator Johnson: "You must prove fault. Otherwise, no money involved. I must prove that you were fully at fault and I was not at fault. We are talking about the person who is 100% at fault."

Senator Lamontagne: "In 1963, I opposed this legislation and I still oppose it today. I feel that as Senator Bergeron has said, it is the people at home who will have to pay the bill. We certainly do not wish to get the insurance rates any higher in New Hampshire. In 1963, a compromise was made and it was increased to \$40,000. Personally, I feel that the \$40,000 is far enough and at the same time, I think the insurance rates are high enough without asking for an increase. I am very much in opposition."

Senator Lamprey: "I told Senator Johnson that I would not speak against this lawyers' bill of his, so I will only say that so many Senators seem to think the law is all right, I would suggest that we leave it alone."

Senator Waterhouse: "I have always had the opinion that I was worth more dead than alive, but now, I am not quite so sure. Now, that we have heard the viewpoint of the lawyers, I think it is only fair that we should listen to the opinions of people connected with the insurance business to see what about the rates being raised in New Hampshire."

Senator Bergeron: "All I can say is that it would be based on future claims. This will not lower the rate."

Senator Buchanan: "I am in the life insurance business and I have the solution. The children of the poor dead doctor in Hanover would have something to eat if the doctor would buy enough life insurance and stop thinking that it could not happen to him. I think if the people of this state were encouraged

to buy more life insurance, perhaps we would not be in this hassle today."

Senator Johnson: "I would be happy to state to Senator Buchanan that in working on many estate plans for clients, we recommend insurance highly. But you will find that there are many people, doctors, for example, who are interns, or residence, or other people who cannot buy a lot of insurance. For that reason, they do not have their estates built up. They feel that this will not happen to them. You say that we have lost faith in the jury system. There is no more reason to say that if you kill a man, there is a limitation. Either you have faith in the jury system, or you lack faith."

Senator Lamontagne moved the previous question.

On a *viva voce* vote, the motion carried.

Question being on motion of Senator Johnson for reconsideration of the vote whereby the Senate refused to order SB 121 to a third reading.

On a *viva voce* vote, the Chair was in doubt and requested a Division.

Eight Senators having voted in the affirmative, and eleven Senators having voted in the negative, the negative prevailed, and the motion to reconsider was lost.

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

Senator Lamontagne inquired of Senator Lamprey: "As Chairman of the Finance Committee, can you give me some information. I am very interested in the subject of the appropriation of the technical school. Have any plans been made as to how the bond issue is to be raised?"

Senator Lamprey: "The capital budget or the technical appropriation has not come before us as yet. The Senate does not have them as yet."

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Afternoon Session**Third Reading & Final Passage of Bills**

SB 83, relative to the New Hampshire State Port Authority and the operation of air navigation and land transportation facilities.

SB 85, relative to the town of Hampton Municipal Development Authority.

SB 102, increasing the number of fire commissioners for the city of Manchester.

SB 103, increasing the number of highway commissioners for the city of Manchester.

SB 113, relating to funds deposited with the superior court.

HB 71, appropriating funds for the state nursing scholarship program.

HB 157, relating to the establishment of community mental health programs and state aid therefor.

HB 299, to remove employees working under the federal minimum wage law from the provisions of the minimum hourly rate, and to remove children working for their parents, and spouses working for each other, from the provisions of the minimum wage law.

HB 321, relative to future water supplies for the city of Manchester.

HB 340, relative to larceny or unauthorized use of a motor vehicle.

HB 389, to provide for the use of distinctive flags or distress signals by handicapped or paraplegic operators of motor vehicles.

HB 426, relative to penalties for hunters shooting domestic animals.

HB 460, providing for the classification of certain surface waters of the Suncook River watershed.

HB 552, relative to benefits and taxing provisions under the unemployment compensation law.

HB 579, increasing penalties for violations of rules and regulations at state forests and reservations.

HB 606, providing for the acquisition of a certain dam and water rights of the Suncook River by the water resources board.

HB 625, relating to operators' and chauffeurs' licenses, the age of school bus operators, and conduct after a motor vehicle accident.

On motion of Senator Foley, the Senate adjourned at 1:35 p.m.

THURSDAY, June 17, 1965

The Senate met according to adjournment.

A quorum was present.

**House Message — First & Second Reading of Bills &
Joint Resolution**

HB 615, relative to salary of the sheriff of Grafton County. Referred to Special Committee, consisting of the members from Grafton County.

HB 631, relative to water resources, flood control, recreation, conservation, navigation and the construction of an inland navigable water from Alton Bay on Lake Winnepesaukee to Great Bay. Referred to Resources, Recreation & Development.

HB 640, to clarify the unemployment compensation laws relating to disqualification for pregnancy. Referred to Labor.

HB 660, relative to a study for an east-west highway. Referred to Public Works & Transportation.

HB 681, relative to the salary of, and amount of fees to be collected by, the register of deeds for Grafton County. Referred to Special Committee, consisting of the members from Grafton County.

HB 755, relative to the salary of the Grafton County Attorney. Referred to Special Committee, consisting of the members from Grafton County.

HJR 44, providing for a deficiency appropriation for the division of welfare of the department of health & welfare. Referred to Finance.

The Message also stated that the House of Representatives has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 67, relative to retirement benefits for officers and employees of the League of New Hampshire Arts and Crafts and the New Hampshire State Employees Federal Credit Union and employees of the State Employees Association of New Hampshire.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 104, to prohibit spillage of loose material and fluids on highways.

The Message further stated that the House has passed the following Concurrent Resolution in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution relative to a comprehensive system for water resources utilization in the State of New Hampshire.

Whereas, a comprehensive system for water resources utilization in the State of New Hampshire can best be accomplished by cooperation between the State of New Hampshire and the United States, and

Whereas, the construction of an inland navigable waterway from Alton Bay on Lake Winnepesaukee to the tidal waters at Great Bay in the State of New Hampshire would be an effective means of securing maximum utilization of such water resources for water supply, flood control, conservation, recreation, navigation and allied uses which would be of material benefit to the people of the nation as a whole; therefore be it

Resolved, by the House of Representatives, the Senate concurring:

That we, the Members of the 1965 General Court of New Hampshire request the President of the United States and the Board of Engineers and Harbors created under Section 3 of the River and Harbor Act approved June 13, 1902, be and

are hereby requested to review the report of the Chief of Engineers on the Lake Winnepesaukee Canal published as House Document No. 173, 20th Congress, First Session, and such other pertinent documents and studies as are available with a view to determining the feasibility of constructing an inland navigable waterway from Alton Bay on Lake Winnepesaukee, down the Cocheco River, to the tidal waters at Great Bay, such review to be subsequent to and would be contingent upon the recommendations developed in a review of reports on the Great Bay Area, New Hampshire and Maine; and be it further

Resolved, That a copy of these resolutions be forwarded to the President, the Congress, the Chief of the Corps of Engineers and to our Senators and Representatives in Congress.

On motion of Senator Tufts, reading of the Concurrent Resolution was dispensed with and it was referred to the Committee on Resources, Recreation & Development.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 45, relative to time of filing for city and town elections.

Amend section 1 of the bill by striking out the word "fourteen" in the fourth and twenty-first lines and inserting in its place the word, thirty-five, so that the section is amended to read:

1 Non-Partisan Ballot. Amend RSA 59:73 by striking out in line ten the words "on or before six" and inserting in place thereof the following, no earlier than thirty-five days before and no later than five, so that said section as amended shall read as follows: 59:73 Adoption of Non-Partisan Ballot System. Towns may adopt a non-partisan ballot system, as hereinafter provided, for the election of town officers under an article in the warrant for any annual or special meeting at which action is to be taken, and may rescind such action in like manner. If such ballot system is adopted by a town, the system shall not be in effect in said town until the town meeting next following the meeting at which such section is taken. In towns where this ballot system is in force, a plurality vote shall elect. The town clerk shall prepare the ballots and all candidates for

office shall file their declarations of candidacy or petitions of nomination with the town clerk no earlier than thirty-five days before and no later than five o'clock in the evening of the second Monday next preceding the day of the election.

Amend section 2 of the bill by striking out the word "fourteen" in the third and tenth lines and inserting in its place the word, thirty-five, so that the section is amended to read:

2 Australian Ballot. Amend RSA 59:74 by inserting in line three after the word "him" the following, no earlier than thirty-five days and no later than; further amend said section by striking out in line five the word "six" and inserting in place thereof the word, five, so that said section as amended shall read as follows: 59:74 Special Provisions. Where the Australian ballot system is in force at local elections a plurality shall elect, the city or town clerk shall prepare the ballot and nominations shall be filed with him no earlier than thirty-five days and no later than seven days before the election. The number of days herein given shall include Sunday and shall end on the day before election at five o'clock in the afternoon.

On motion of Senator Buchanan, the Senate voted to concur with the amendment offered by the House.

The Message also stated that the House has voted to adopt the amendments offered by the Committee of Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

SB 100, relative to appointment of process agent by foreign Corporation.

Amend RSA 300:16 as inserted by section 1 of the bill by striking out the third line and inserting in place thereof the following:

served under section 15, which shall show the

The Senate voted to concur in the adoption of the amendment offered by the Committee on Engrossed Bills.

Introduction of Guests

As the guests of Senator O'Gara, Mrs. Frank Cunningham and Mrs. Hall, both of Durham.

Introduction of Senate Bill

SB 129, providing that abandoned railroad rights of way shall be retained for equitation, bicycle, and pedestrian uses only. (Hunter) Referred to Judiciary.

Inquiry by the Chair

"The Chair would inquire if, at the present time, all members have had their bills introduced in the Senate."

Senator Buchanan stated that he had one. Also Senator Lamontagne, one. Also Senator Johnson, one.

The Chair recognized Senator English: "Mr. President, a parliamentary inquiry. If the Governor should veto one of the Senate bills, I would like to inquire the amount of time which would be given to the Senators to consider the veto message. I was deeply disturbed yesterday that the veto message in the House was handled with what I would describe as 'precipitous haste' and that the members of the House had no adequate time to digest the message or to investigate the matter in any way. I do not ask for your ruling at this time, but hope that you will inform us in due course. I know that the term 'forth-with' is used in connection with a veto, but again I repeat, I feel most strongly that precipitous consideration of such a message is not in the best interests of the people of the state."

The Chair replied: "To my knowledge, a veto message must be taken up as soon as it is received. However, not expecting a veto message this morning, I will ask the Senate Counsel to confer with the Attorney General and give us an answer Monday morning."

Senator Martel: "Mr. President, in regard to the remarks of Senator English, I feel too that there should be given some actual time for the members of the Legislature to have a chance to study the message before they vote on it. I am very serious about this. I believe that there is merit in this suggestion."

Bill Taken from the Table

On motion of Senator Howard, the Senate voted to take the following entitled bill from the table:

HB 49, to increase the limit of outside borrowing by the State.

On motion of Senator Howard, the reading of the amendment was dispensed with.

The Chair stated that the amendment had been printed in the Journal of last Monday on Page 1094.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Outstanding Borrowing. Amend RSA 6:13 (supp) as amended by 1959, 63:1 by striking out the same and inserting in place thereof the following: 6:13 Borrowing Money. If money due from the state is demanded and there are not sufficient funds in the treasury available for the payment of the same, the treasurer under the direction of the governor and council is authorized to borrow on the state's credit for a period of not more than one year, at the lowest rate of interest obtainable, such sums as may be necessary, provided that at no time shall the indebtedness of the state pursuant to the authority granted by this section exceed the sum of ten million dollars.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Borrowing, Fish and Game Fund. Amend RSA 6 by inserting after section 12 (supp) as amended by 1959, 63:1 the following new section: 6:13-a-Fish and Game Fund. If payments of money are due from the state fish and game fund and there are not sufficient fish and game funds in the treasury available for the payment of the same, the treasurer under the direction of the governor and council is authorized to borrow on the state's credit for a period of not more than six months, at the lowest rate of interest obtainable, such sums as may be necessary, provided that at no time shall the indebtedness of the state pursuant to the authority granted by this section exceed the sum of two hundred and fifty thousand dollars.

The amendment as offered by Senator Lamprey was adopted and the bill as amended was ordered to a third reading.

Bill Recalled from the Governor

On motion of Senator Johnson, the following Joint Resolution was recalled from the Governor:

HJR 24, providing funds for the commission on interstate cooperation.

On further motion of the same Senator, the Senate voted to reconsider its vote whereby the above captioned Joint Resolution was read a third time and passed.

The Joint Resolution now being on its second reading, was open to amendment.

Senator Johnson offered the following amendment: (and stated that the change is from 'to be' to 'which was'.)

Amend the resolution by striking out in line five the words "to be" and inserting in place thereof the words, which was, so that said joint resolution as amended shall read as follows:

The sum of five hundred dollars is hereby appropriated to be expended by the commission on interstate cooperation for the expenses in connection with a conference with the commissions of other states which was held in New Hampshire, April 1965. The governor is hereby authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The amendment was adopted, and the Joint Resolution as amended was ordered to a third reading.

Bill Recalled from Committee on Engrossed Bills

On motion of Senator Johnson, the following entitled bill was recalled from the Committee on Engrossed Bills:

SB 57, relative to classification of the permanent positions of senior psychiatrists at the New Hampshire Hospital and relative to the power of the Governor and Council to fix salaries of unclassified positions.

On further motion of Senator Johnson, the Senate voted to reconsider its vote whereby the above entitled bill was read a third time and passed.

The bill being on its second reading was open to amendment.

On motion of Senator Johnson, the Senate refused to concur in the House amendment and requested the appointment of a Committee of Conference.

Pursuant to the above, the President appointed as members of such Committee of Conference on the part of the Senate, Senators Johnson and Martel.

Committee Reports

Senator Rinden, for the Committee on Judiciary: SB 124, changing the date on which tax collectors' deeds become incontestable. Ought to pass.

Senator Rinden: "Mr. President, earlier in the session, we passed a bill establishing a period of limitation — cutting down to ten years. This bill determines when this shall go into effect. It makes it retroactive so that deeds passed in 1956 will be affected by the ten year statute of limitation. We had some very good testimony on this by the state tax commission who says that this is in accord with accepted law elsewhere. It will be about 1 year for the bar to become familiar with the new law. The Committee unanimously voted that the bill ought to pass."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Judiciary: HB 8, to authorize the sweepstakes commission to pay unclaimed prize money to the state treasurer. Ought to pass.

Senator Rinden: "Mr. President, if a person does not pick up his winnings from a winning sweepstakes ticket for two years, the money is turned over to the state treasurer and his only redress after that time is to the Legislature."

Senator Lamontagne moved that this bill be made a Special Order of Business for next Wednesday at 11:01, and stated: "I can assure you that the amendment which I wish to prepare will not make any changes in the bill, but it is something I believe necessary."

Senator Rinden inquired: "You say that this amendment will not change the bill. How can that be?"

Senator Lamontagne: "What I have in mind could be attached to this bill. Naturally, it would not affect in any way what HB 8 does. This is an addition to the bill. The reason that I would like this opportunity to present an amendment is because I have been informed that Washington possibly may pass legislation which we hope will mean that we will get back taxes paid. This is a question, but at least in the future, you may not be forced to pay the federal government any tax. Therefore, the percentage that has been paid in federal taxes is that this money be placed for retarded children. This is a worthy

cause and will not hurt the cities and towns. That is my reason for making the request for Special Order."

Senator Bergeron: "Congress will not have passed this before we adjourn and I do not wish to hurt this bill."

Senator Lamontagne: "The amendment that I will present will not hurt this bill in any way. If it is not felt to be a worthwhile amendment, we can throw the amendment down and act on the bill without the amendment."

On a *viva voce* vote, the motion for Special Order prevailed.

Senator Rinden, for the Committee on Judiciary: HB 580, to authorize corporations to guarantee the debts of others. Ought to pass.

Senator Rinden: "Mr. President, this bill does just what the title says. That is something that corporations have been doing already as I understand from testimony before the Committee and this simply legalizes a current practice which seems perfectly desirable."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 595, to provide for registration of and service of process upon foreign partnerships. Ought to pass.

Senator Rinden: "Mr. President, this bill provides for partnerships the same law that is now in effect in regard to corporations. Namely, to enable a New Hampshire resident to bring suit through the Secretary of State as is now the case in foreign corporations. It will be of great assistance and is desirable legislation."

The bill was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary: HB 488, relating to the custody and escheat of unclaimed and abandoned property. Ought to pass.

Senator Rinden: "Mr. President, as it is now, we have the rule if there are no relatives to take property of the person who dies, the property goes to the state. However, as I understand it, the machinery is somewhat imperfect and the State of New Hampshire is losing a lot of property which should go to the state and persons are taking possession by default. This is a

comprehensive bill and makes it easy for the State to keep this property. It should bring quite a substantial amount of money into the State of New Hampshire and should implement what is already on the books. I think it is a very fine piece of model legislation and so does the Committee."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: SJR 14, in favor of Leon R. Parent. Ought to pass.

Senator Lamontagne offered the following amendment:

Amend the caption of the resolution by adding at the end thereof the following, and Basil Connolly, so that said caption as amended shall read as follows:

in favor of Leon R. Parent and Basil Connolly.

Amend the resolution by adding at the end the following new paragraph:

That there is hereby appropriated the sum of one hundred dollars to be paid to Basil Connolly of 412 School Street, Berlin, New Hampshire on certification by the adjutant general that he would have been entitled to the so-called World War II Bonus under the provisions of Laws of 1943 chapter 201 as amended by Laws of 1947 chapter 45 if he had made timely application therefore which was not done through mistake and inadvertance on his part. The governor is authorized to draw his warrant for the sum hereby appropriated against any monies in the treasury not otherwise appropriated.

Senator Lamontagne: "Mr. President, Basil Connolly is the father of Norman Connolly who was killed during World War II. At that time, no application was made. I have checked through the Veterans Council and have found that this \$100 was not paid to the parents. That is the reason that I am offering this amendment at the present time."

Senator Buchanan: "Mr. President, I am in support of the amendment. At a hearing this week of the Claims Committee, a representative of the Adjutant General's office was there and stated that his office had no objection to this claim and stated that there would be more coming up in the future. No duplicate payment is being made of this bonus."

The amendment was adopted, and the Joint Resolution as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims:

SJR 15, in favor of Richard C. Lassar. Ought to pass.

Senator Buchanan: "Mr. President, this again is another Korean veteran who failed, through no fault of his own, to make proper application for his Korean bonus. The Adjutant General testified that no payment had been made and did not oppose this Joint Resolution."

The Joint Resolution was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims:

HJR 29, in favor of Seth J. Hayes. Ought to pass.

Senator Buchanan: "Mr. President, again, this is another Korean veteran for whom application is being made."

The Joint Resolution was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims:

HJR 39, in favor of Anne Plummer of Londonderry. Ought to pass.

Senator Buchanan: "Mr. President, this unfortunate lady while walking on the state highway in the town of Londonderry, near the Wilson interchange, stepped on the pavement, which gave way, and she fell into a culvert, seriously injuring her leg. The amount of the claim is \$473. Commissioner Morton of the State Highway Department appeared and stated that this amount he could not pay without Legislative action."

The Joint Resolution was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments:

SB 107, relative to the compensation of personnel of the University and Keene and Plymouth State Colleges. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

establishing a committee to investigate the relationship between salaries of personnel of the university of New Hampshire, Keene and Plymouth state colleges and classified state employees.

Further amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Committee Established. There is hereby established an interim study committee of five members, one to be appointed by the president of the senate, one by the speaker of the house, one by the president of the university of New Hampshire, one by the president of Keene state college, and one by the president of Plymouth state college. The committee is hereby authorized and directed to investigate, with the assistance, advice, and cooperation of the director of personnel, the executive secretary of the state employees' association and any other state agencies or departments which it requires, the relationship and relative pay and fringe benefits of personnel at the university of New Hampshire, Keene state college, and Plymouth state college compared to classified state employees. The committee is directed to make a report of its findings and its recommendations by November 1, 1966 to the governor and the 1967 general court.

2 Takes Effect. This act shall take effect upon its passage.

* * *

On motion of Senator Blaisdell, the reading of the amendment was dispensed with, same having been printed on Page 1148.

Senator Buchanan: "Mr. President, this bill was introduced by Senator Johnson at the request of the personnel at Keene State College. When the two Teachers Colleges were incorporated into the University, these people came under the plan that it already had for its employees. In certain cases, the benefits were not as good and these people protested against this, hence, this bill. There was insufficient time to adjust this satisfactorily. I talked with Mr. Chase and Senator Johnson and they suggested that this bill be used as a vehicle to use this for study and report back. One member to be appointed by the

President of the University, one by the president of Keene and one by the president of Plymouth, one by the president of the Senate and one by the Speaker of the House. They are to report back by November 1, 1966 and to the General Court in 1967. It was the feeling of Mr. Chase in Durham that while they had tried to adjust this, they cannot have all the benefits of the state employees and also the benefits they had before. There was no opposition and this solution seemed to be a good one."

The Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Blaisdell, further consideration of the above entitled bill and proposed amendment was made a Special Order of Business for next Wednesday morning at 11:02.

Senator English, for the Committee on Education:

HB 274, relative to supervisory unions. Ought to pass.

Senator Tufts: "Mr. President, this bill is so involved that I move this be made a Special Order of Business for next Monday at 11:02."

Senator English: "I agree with Senator Tufts. This is a highly technical bill. It was strongly supported, but if further study is needed, it should be done."

Senator Tufts: "This is dealing with supervisory unions and if you have been reading about this subject, you will realize that this is a very technical subject. I believe other Senators would like a little more time to study this and talk with their school board members. This could be accomplished over the weekend."

On a *viva voce* vote, the motion for Special Order carried.

Senator English, for the Committee on Education:

HB 584, authorizing the department of education to participate in the federal program under the Vocational Education Act of 1963. Ought to pass.

Senator English: "Mr. President, SB 584 authorizes the Department of Education to participate in the Federal program under the Vocational Education Act of 1963. It was strongly

supported. It provides for a special fund to be held in the State Treasury to be known as the Vocational Education Act Fund and monies received from Washington shall be deposited in this fund. The State Treasurer is designated custodian of the fund."

The bill was ordered to a third reading.

Senator English, for the Committee on Education:

HB 692, designating February as "American History Month". Ought to pass.

Senator English: "Mr. President, HB 692 was sponsored by the DAR. It provides that the Governor annually shall proclaim February as 'American History Month.' It is felt that in doing so the glorious history of the State of New Hampshire can be brought to the attention of school children and the general public."

Senator Rinden inquired: "Can you tell me what grade studies this?"

Senator English referred to Senator Foley or Senator Tufts.

Senator Foley: "It is the 4th grade that studies American History. February is a good month—Washington, Lincoln and Foley, all in that month."

Senator Rinden: "I spent my first four years of school in China and entered the fifth grade here, and therefore, I missed this American History."

The bill was ordered to a third reading.

Senator Green, for the Committee on Military & Veterans Affairs:

HB 407, relative to staff of New Hampshire National Guard. Ought to pass.

Senator Buchanan: "Mr. President, This bill was explained by the Adjutant General of the New Hampshire National Guard, General McSwiney. Under planned changes in the National Guard, the State of New Hampshire will lose its one Brigadier General when and if the II Corps Headquarters leaves New Hampshire.

"This is only the first General Officer in the New Hampshire National Guard since the Civil War other than the Adju-

tant General himself and, if the law is passed, the Department of Defense will allow a slot for a Brigadier General as Assistant Adjutant General at no cost to the State of New Hampshire. There was no opposition at the hearing."

The bill was ordered to a third reading.

Senator Green, for the Committee on Military & Veterans Affairs:

HB 528, relative to the New Hampshire Soldiers' Home. Ought to pass.

Senator Green: "Mr. President, Rep. David O'Shan, Senator Lamontagne representing the Disabled War Veterans, Mr. O'Neil of the American Legion, and Rep. Donald Welch, legislative officer of the V.F.W. and a member of the board of the N. H. Soldiers' Home appeared in favor of this bill. Since the Commandant, Mr. England, died, there is no one to manage the affairs of the home. The bill also provides for creating the post of Adjutant at an annual salary of \$4,500 who would actually be an assistant to the Commandant since it is a very time-consuming job and does require an assistant. It is the only such home in the country that does not have the post of Adjutant. This bill is necessary and the committee recommended that it ought to pass."

The bill was referred to Finance, under the rules.

Senator Lamontagne inquired: "I believe that the money is in the budget. I know that at the previous hearing, it was said that the money is already authorized in the budget."

Senator Provost: "No, it is not."

Senator Howard: "It was originally in the budget, but the Governor took it out and the House left it out."

Senator English presiding.

Senator Rinden, for the Committee on Judiciary:

HB 562, relative to campaign expenses in presidential preference and delegate primaries. Inexpedient to legislate.

Senator Lamprey: "Mr. President, this is a bill that I have had considerable interest in, having been involved in campaigns and expenses for some time and I must confess that I have not had the opportunity to examine this particular bill and would

therefore ask that it be made a Special Order of Business for Tuesday next at 11:01 a. m."

The motion for Special Order carried.

Senator Provost, for the Committee on Finance:

HJR 34, in favor of estate of Agnes Helen Davis. Ought to pass.

Senator Lamprey: "Mr. President, this involves tax money that was paid into the State Treasury in the amount of \$3,028.26 which was paid when it should not have been paid. There was no tax liability on the estate of Agnes Helen Davis. Attorney Gordon Tiffany appeared for the estate, and Ken Cowen appeared for the state and said that this was so. However, they did not have the authorization to pay it back. It takes Legislative action and that is the reason that the bill is before the Senate at the present time."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 653, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1966. Ought to pass with amendments.

Amend section 1 of the bill as follows:

Amend the appropriation for legislative branch by striking out the same and inserting in place thereof the following:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account and which shall be for the expenses of the legislature, including \$244,000 for the office of legislative budget assistant to the appropriations and finance committees, \$71,500 for the office of legislative services, and \$21,500 for the office of research analyst to the senate finance committee as follows: (Salary of legislative budget assistant \$17,500, other expenditures \$226,500#) (Legislative services—Other expenditures \$71,500##) (Salary of research analyst to senate finance committee \$9,500, other expenditures \$12,000###) \$730,038

Travel and expenses authorized by

RSA 14-A:3 (Supp) *	12,500
Legislative council*	2,500
Council of state governments	3,600

Reimbursement for travel expenses incurred
while attending the national legislative
leaders conference:

Lucien E. Bergeron	524	
Estate of Samuel Green	528	
Cecil Charles Humphreys	542	
Nathan T. Battles	527	2,121

Reimbursement of travel expenses incurred
while attending meetings as duly appointed
members of the uniform vehicle laws
study committee:

Russell G. Claffin	81	
Scott Eastman	27	
George M. McGee, Sr.	49	
Malcolm J. Stevenson	55	
George S. Wildey	97	309

Reimbursement for expenses incurred while
attending hearings of the governor's
budget committee:

Louis I. Martel	61	
William H. Craig	40	
George A. Bruton	82	
Edward H. York	47	
Agenor Belcourt	142	
Edna B. Weeks	79	
Joseph M. Eaton	110	
Oscar C. Prescott	98	
Winifred Hartigan	134	
Frank H. Sheridan	275	1,068

Reimbursement for expenses incurred while
attending joint hearings as members of
the senate committee on public works and
transportation or the house committee on
public works:

Laurier Lamontagne	20	
Douglas E. Hunter, Sr.	15	
William F. Keefe	42	
Maurice J. Downing	42	
George W. Strafford	148	
George M. McGee	56	

William P. Gove	41	364
Total for legislative branch		752,500

#In this appropriation \$5,000, or so much as necessary, may be expended by the legislative budget assistant for an audit of the state treasury. The legislative budget assistant may designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of paragraph II, section 31, chapter 14, RSA, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer. This appropriation also includes \$50,000, or so much as necessary, for an interim study of data processing programs and an interim actuarial study of all state retirement funds. Reports on said studies shall be completed prior to December 1, 1966. The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor.

##This appropriation includes \$10,000, or so much as necessary, for an interim study of the settlement laws.

###This appropriation includes \$5,000, or so much as necessary, for legal or consultant services including but not limited to payment for services authorized by the senate by motion adopted April 28, 1965, Senate Journal page 645. Expenditures from this appropriation shall be subject to prior approval of the senate finance committee.

*This appropriation shall not lapse at June 30, 1966.

Amend the appropriation For executive branch by striking out the same and inserting in place thereof the following:
For executive branch:

Office of governor:	
Salary of governor	20,000
Other personal services:	
Other+	45,000
Total	65,000
Current expenses	8,000
Travel:	
In state	2,500#

Out of state	2,000	
Equipment	1,000	
Other expenditures:		
Contingent fund	15,000	
Special citations to state employees	300	
Governor's special fund*	10,000	
New England governors' council	8,000	
Total		111,800

+Salaries paid out of this appropriation shall be at levels set by the governor.

#Expense of operating and maintenance of the governor's state car shall be charged to this appropriation.

*The funds appropriated under this item are to be spent by the governor in his own and sole discretion for state purposes, including but not limited to participation in the activities of the United States Governors Conference, the New England Conference of Governors, and the council of state governments, for which monies are not otherwise appropriated.

Office of economic opportunity:

Personal services:

Temporary	46,380
Consultants	2,105

Total	48,485
Current expenses	6,770

Travel:

In state	2,875
Equipment	2,641

	60,771
Less current authorization	11,800

Total	48,971
Less federal grant	43,745

Net appropriation 5,226*

*State matching appropriations available for expenditure only if funds are available from a federal grant. If the federal grant is reduced, expenditure of state matching appropriation shall be reduced proportionately.

Emergency fund		75,000
Executive council:		
Personal services		
Other - per diem	19,750	
Secretary to executive council	3,250	
	<hr/>	
Total	23,000	
Current expenses	2,000	
Travel:		
In state	4,500	
Out of state	500	
	<hr/>	
Total for executive council		30,000
		<hr/>
Total for executive branch		222,026

Amend the appropriation for judicial branch: For supreme court by changing the figures for "Salary of clerk-reporter", as follows: 12,300 changed to 15,000; by changing the figures for "Total" for personal services, as follows: 144,421 changed to 147,121; by changing the figures for "Total" for supreme court, as follows: 158,996 changed to 161,696; and by changing the figures for "Net appropriation", as follows: 158,346 changed to 161,046.

Further amend the appropriation For judicial branch: For judicial council by striking out the same and inserting in place thereof the following:

For judicial council	8,850+
----------------------	--------

+The funds in this appropriation shall not lapse but shall be available for expenditure in the following year. In this appropriation \$5,400 shall be for the salary of the secretary.

Further amend the appropriation For judicial branch: For administrative committees, by striking out the same and inserting in place thereof the following:

For administrative committees:		
For district and municipal courts	5,950##	
For probate courts	500	6,450
	<hr/>	

##The funds in this appropriation shall not lapse but shall be available for expenditure in the following year.

Further amend the appropriation For judicial branch, by changing the figures for "Total for judicial branch", as follows: 473,455 changed to 481,380.

Amend the appropriation For adjutant general's department: Central administrative office, by changing the figures for "Current expenses" as follows: 6,670 changed to 7,170; by changing the figures for "Total" of said paragraph as follows: 81,181 changed to 81,681; by changing the figures for "Total for adjutant general's department" as follows: 451,897 changed to 452,397; by changing the figures for "Net appropriation" as follows: 384,639 changed to 385,139.

Amend the appropriation For administration and control: Division of budget and control, by striking out the same and inserting in place thereof the following:

Division of budget and control:

Salary of comptroller	16,620
Salary of business supervisor	13,560
Salary of assistant business supervisor	12,120
Other personal services:	
Permanent	7,229
Other	2,600
	<hr/>
Total	52,129
Current expenses	2,984
Travel:	
In state	570
Out of state	510
Equipment	325
Other expenditures:	
Atlantic marine fisheries	700
Firemen' relief	4,000
League of N. H. Arts and crafts	10,000+
New England board of higher education:	
Expenses	5,550
Grants	50,000++
Complete installation of accoustical tile and related work in state house annex*	15,000
Reset and point steps and walls—state house and annex*	30,000

Oasi contributions:

State employees	490,000
Teachers	470,000

Total	1,131,948
-------	-----------

+At the close of each year an operating statement shall be submitted to the governor and council.

++Other provisions of law notwithstanding, the balance at June 30, 1965 shall lapse on July 1, 1965 to unappropriated surplus of the general fund.

*Expenditures for these purposes not to exceed the legislative appropriation. These appropriations shall not be transferred or expended for any other purpose.

Further amend the appropriation For administration and control: Division of purchase and property, by striking out the same and inserting in place thereof the following:

Division of purchase and property:

Salary of director	13,593
--------------------	--------

Other personal services:

Permanent	74,906
Other	2,475

Total	90,974
-------	--------

Current expenses	4,200
------------------	-------

Travel:

In state	750
----------	-----

Out of state	460
--------------	-----

Equipment	1,180
-----------	-------

Other expenditures:

Expense of implementing new procedures relative to rental or purchase of automatic processing systems	10,000+
---	---------

Total	107,564
-------	---------

+This appropriation shall not be transferred or expended for any other purpose and shall not lapse at June 30, 1966.

Further amend the appropriation For administration and control: N. H. distributing agency: Surplus property division, by changing the figures for "Travel: Out of state", as follows: 500

changed to 800; by changing the figures for "Total" of said paragraph as follows: 41,776 changed to 42,076; and by changing the figures for "Less estimated revenue and balance" as follows: 41,776 changed to 42,076.

Further amend the appropriation For administration and control by changing the figures for "Total for administration and control" as follows: 1,780,513 changed to 1,777,253.

Amend the appropriation For agriculture: Bureau of weights and measures, by striking out the same and inserting in place thereof the following:

Bureau of weights and measures:

Personal services:

Permanent	41,560
-----------	--------

Current expenses	3,000
------------------	-------

Travel:

In state	4,400
----------	-------

Out of state	175
--------------	-----

Equipment	4,800
-----------	-------

Other expenditures:

Heavy duty truck and related equipment*	11,050
---	--------

Total	64,985
-------	--------

Less estimated revenue	15,000
------------------------	--------

Net appropriation	49,985
-------------------	--------

*This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For agriculture, by changing the figures and sign "Total for department of agriculture" as follows: 393,559# changed to 404,609#.

Amend the appropriation For attorney general's department: Office of attorney general, by striking out the word and sign "Reports+" and inserting in their place the following words and sign: Reports and opinions+ and also the following footnote relative thereto: +The attorney general shall submit at least monthly to the legislative budget assistant copies of all opinions given by his office. This appropriation shall cover the expense of printing certain reports and also the expense for a

part time trainee in the office not exceeding five hundred dollars. No part of this appropriation shall be transferred or expended for any other purpose than herein set forth; this appropriation shall not lapse but shall be available for expenditure in the ensuing year.

Further amend the appropriation For attorney general's department: Legal assistance for land acquisition by striking out the same and inserting in place thereof the following:

Legal assistance for land acquisition:

Salaries of two assistant attorneys general	18,786
Other personal services:	
Permanent	9,502
	<hr/>
Total	28,288
Current expenses	325
Travel:	
In state	1,500
Equipment	1,500
	<hr/>
Total	31,613
Less transfer from highway fund	31,613
	<hr/>

Net appropriation 0

Further amend the appropriation For attorney general's department: Division of charitable trusts, by striking out the same and inserting in place thereof the following:

Division of charitable trusts:

Salary of director	6,240
Other personal services:	
Permanent	7,093
Other	400
	<hr/>
Total	13,733
Current expenses	1,350
Travel:	
In state	150
Out of state	100
Equipment	1,020
	<hr/>
Total	16,353

Further amend the appropriation For the attorney general's department: by changing the figures for "Total for attorney general" as follows: 163,782 changed to 163,982.

Further amend the appropriation For attorney general's department, by adding at the end of said appropriation the following:

Note: the appropriation made by Laws 1963, chapter 198, for law enforcement manual shall be available for expenditure during the period from July 1, 1965 to June 30, 1967.

Amend the appropriation For department of health and welfare: Office of commissioner of health and welfare, by striking out the same and inserting in place thereof the following:

Office of commissioner of health and welfare:

Salary of commissioner	17,680
------------------------	--------

Salary of business supervisor— health and welfare+	13,200
---	--------

Other personal services:	
Permanent	176,784
Other	3,000

Total	210,664
-------	---------

Current expenses	47,459
------------------	--------

Travel:

In state	1,900
----------	-------

Out of state	1,400
--------------	-------

Equipment	5,612
-----------	-------

Other expenditures:	
Oasi and retirement	12,579

Total for office of commissioner	279,614
-------------------------------------	---------

+Other provisions of law notwithstanding the employee holding the classified position of supervisor of business management III on June 30, 1965 shall assume the new unclassified position of business supervisor—health and welfare as of July 1, 1965.

Further amend the appropriation For department of health and welfare: Division of public health services: Communicable disease control, by changing the figures for "Travel—In state as follows: 3,300 changed to 3,000.

Further amend the appropriation For department of health and welfare: Division of public health services: Vital statistics, by inserting an asterisk after the words "Vital statistics" and at the end of said paragraph inserting the following footnote: *Other provisions of law notwithstanding, any balance in vital statistics account at June 30, 1965 shall lapse to unappropriated surplus of the general fund on July 1, 1965.

Further amend the appropriation For department of health and welfare: Division of welfare: Administration, by striking out the same and inserting in place thereof the following:

Administration:

Salary of director	13,184
Other personal services:	
Permanent	158,384
Other	7,000

Total	178,568
Current expenses	21,078

Travel:

In state	4,860
Out of state	1,228
Equipment	969

Other expenditures:

Blue cross and insurance	7,458
Merit system	4,500
Educational leave+	10,000
Employees retirement	51,092
Social security	35,707
Physical examinations for applicants	1,000

Total	316,460
-------	---------

+Not to be transferred or used for any other purpose. The total grant to any one person shall not exceed \$5,000 which shall include tuition and stipend.

Further amend the appropriation For department of health and welfare: Division of welfare: Field services, by striking out the same and inserting in place thereof the following:

Field services:

 Personal services:

Permanent	717,146	
Other	5,075	
	<hr/>	
Total	722,221	
Current expenses	70,000	
Travel:		
In state	37,636	
Out of state	500	
Equipment	14,671	
	<hr/>	
Total		845,028

Further amend the appropriation For department of health and welfare: Blind services, by inserting at the end of said paragraph the following:

Note: the position of sight conservation consultant, position number 06, shall be abolished as of November 2, 1965.

Further amend the appropriation For department of health and welfare: Division of welfare, by inserting after the appropriation for "John Nesmith fund" the following new paragraph:

Foster day care:

Personal services:

 Permanent 9,753

Current expenses 880

Travel:

 In state 360

Equipment 1,956

Other expenditures:

 Retirement 415

 Oasi 37

Total 13,401

Less estimated federal funds 13,401

Net appropriation 0

Further amend the appropriation For department of health and welfare: Division of welfare: Old age assistance, by changing the figures for "State's share" as follows: 1,129,397 changed to 1,284,282; by changing the figures for "Net appropriation" for state's share as follows: 1,038,397 changed to 1,193,282; by changing the figures for "Towns and counties" as follows: 1,245,793

changed to 1,297,421; and, by changing the figures for "Less estimated revenue" from towns and counties, as follows: 1,245,793 changed to 1,297,421.

Further amend the appropriation For department of health and welfare, Division of welfare: Old age assistance to aliens, by changing the figures for "Towns and counties" as follows: 231,958 changed to 249,868; and, by changing the figures for "Less estimated revenue" from towns and counties, as follows: 231,958 changed to 249,868.

Further amend the appropriation For department of health and welfare, Division of welfare: aid to dependent children, by changing the figures for "State's share", as follows: 1,292,810 changed to 1,304,976; and, by changing the figures for "Net appropriation" for aid to dependent children as follows: 1,212,810 changed to 1,224,976.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to needy blind, by changing the figures for "State's share" as follows: 203,618 changed to 216,934; and by changing the figures for "Net appropriation" for Aid to needy blind, as follows: 201,418 changed to 214,734.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to permanently and totally disabled, by changing the figures for "State's share", as follows: 202,924 changed to 222,330; by changing the figures for "Towns and counties" as follows: 307,560 changed to 318,009; and by changing the figures for "Less estimated revenue" from towns and counties, as follows: 307,560 changed to 318,009.

Further amend the appropriation for department of health and welfare: Division of welfare by changing the figures for "Total for division of welfare, as follows: 4,786,381 changed to 5,148,736.

Further amend the appropriation For department of health and welfare: Division of welfare, by changing the figures for "Less transfer re administration from federal grants" as follows: 630,633 changed to 711,923; and by changing the figures for "Net appropriation" for Division of welfare, as follows: 4,143,948 changed to 4,425,013.

Further amend the appropriation For department of health and welfare: Division of welfare: by inserting at end of said appropriation the following:

Notes: Other provisions of law notwithstanding, any balance remaining in state accounts at the close of the fiscal year shall lapse to unappropriated surplus of the general fund.

Nursing homes and hospitals providing nursing care shall be eligible for payment by the Division of welfare for nursing care.

If revenue and balance exceed estimates in the federal, town and county accounts of the welfare division, such excess may be expended with the approval of the governor and council, provided however that any federal administration funds in these accounts must first be transferred to the estimated revenue account for that purpose. The director of the division of welfare shall monthly certify to the comptroller the amount of said administration funds so earned and the comptroller shall then effect the transfer.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration, by changing the figures for "Other personal services: Permanent" as follows: 73,015 changed to 79,545; by changing the figures for "Total" personal services as follows: 101,635 changed to 108,165; and by changing the figures for "Total" for administration as follows: 108,185 changed to 114,715. Further amend said appropriation for Laconia state school: Professional care and treatment, by changing the figures for Personal services: Permanent, as follows: 1,083,154 changed to 1,100,654; by changing the figures for "Total" for permanent services as follows: 1,099,154 changed to 1,116,654; and, by changing the figures for "Total" for Professional care and treatment as follows: 1,124,378 changed to 1,141,878. Further amend said appropriation for Laconia state school: Custodial care, by changing the figures for "Personal services: Permanent" as follows: 252,359 changed to 255,934; by changing the figures for "Total" personal services as follows: 254,359 changed to 257,934; and by changing the figures for "Total" for Custodial care, as follows: 524,693 changed to 528,268. Further amend said appropriation for Laconia state school by changing the figures for "Total for Laconia state school" as follows: 2,310,785 changed to 2,338,390; and, by changing the figures for "Net appropriation" for Laconia state school as follows: 2,298,985 changed to 2,326,590.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration, by changing the figures for "Current expenses" as follows: 48,236 changed to 68,236; and by changing the figures for "Total" for administration as follows: 201,767 changed to 221,767. Further amend said appropriation for New Hampshire hospital: Professional care and treatment, by striking out said paragraph and inserting in place thereof the following paragraph.

Professional care and treatment:

Senior psychiatrist (13)	157,243
Other personal services:	
Permanent	3,252,299
Other	116,195#
Total	3,515,737
Current expenses	157,769+
Travel:	
In state	4,000
Out of state	500
Equipment	12,400*
Total	3,690,406

#This appropriation includes salaries for two temporary psych. social workers who shall be assigned to the geriatrics program, and \$5,000 for psychology interns which shall not be used for any other purpose. Students accepted as medical interns shall have completed a minimum of two years of medical school. This appropriation also includes \$708 for retroactive salary payment for Dr. George Brown.

+No charge against this appropriation or any other appropriation of the New Hampshire hospital shall be made for nurses uniforms.

*This appropriation shall not lapse until June 30, 1967. Further amend said appropriation for New Hampshire hospital by changing the figures for "Total for New Hampshire hospital" as follows: 6,260,170 changed to 6,282,878; and, by changing the figures for "Net appropriation" for said hospital as follows: 6,196,670 changed to 6,219,378. Further amend the appropriation For department of health and welfare: Division of mental health, by changing the figures for "Total for division of mental

health," as follows: 8,779,045 changed to 8,829,358. Further amend the appropriation For department of health and welfare, by changing the figures for "Total for department of health and welfare" as follows: 15,349,866 changed to 15,684,321.

Amend the appropriation For barbers board, by changing the figures for "Personal services: Other" as follows: 1,100 changed to 1,650; and, by changing the figures for "Total" for barbers board, as follows: 5,670 changed to 6,220.

Amend the appropriation For insurance department: Office of commissioner, by striking out the same and inserting in place thereof the following:

Office of commissioner:

Salary of commissioner	15,181
Salary of deputy commissioner	12,240
Salary of assistant to commissioner	9,000
Other personal services:	
Permanent	66,845

Total	103,266
Current expenses	7,595
Travel:	
In state	100
Out of state	1,000
Equipment	1,419

Total	113,380
-------	---------

Further amend the appropriation For insurance department: Rating division, by changing the figures for "Current expenses" as follows: 1,200 changed to 1,435; and by changing the "Total" for Rating division as follows: 22,427 changed to 22,662. Further amend the appropriation For insurance department: Real estate division, by striking out the same and inserting in place thereof the following:

Real estate division:

Personal services:

Permanent	4,830
Current expenses	1,872
Travel:	
In state	100
Out of state	200

Equipment	280
	<hr/>
Total	7,282

Further amend the appropriation For insurance department by changing the figures for "Total for insurance department" as follows: 141,822 changed to 143,324.

Amend the appropriation For personnel department, by changing the figures for "Current expenses" as follows: 4,874 changed to 5,574; by changing the figures for "Total" for personnel department as follows: 119,927 changed to 120,627; and, by changing the figures for "Net appropriation" as follows: 105,010 changed to 105,710.

Amend the appropriation For resources and economic development: Office of the commissioner: Division of administration, warehouse and graphic arts, by striking out same and inserting in place thereof the following:

Division of administration, warehouse and graphic arts:

Salary of commissioner	15,969
Other personal services:	
Permanent	155,419+
Other	7,200
	<hr/>
Total	178,588
Current expenses	17,500
Travel:	
In state	2,000
Out of state	900
Equipment	4,145
Other expenditures:	
Community recreation services	15,000#
	<hr/>
Total	218,133

+The following permanent positions shall be abolished when they become vacant:

1 Accountant II (Position #0008)

1 Accountant I (Position #0007)

#This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For resources and economic development: Office of the commissioner, by changing the

figures for "Total for office of commissioner" as follows: 305,505 changed to 320,505.

Further amend the appropriation For resources and economic development: Division of resources development, by inserting after the words "Total for division of resources development" an asterisk and the following footnote: *If income from federal grants exceeds estimates, the excess may be expended with approval of the governor and council.

Further amend the appropriation For resources and economic development: Division of parks, by striking out at the end of said appropriation for said Division of parks the footnote prefaced by an asterisk and inserting in place thereof the following: *Rates charged at service and self-supporting parks shall be adjusted to assure that estimated revenue will be realized. Expenditures for the division of parks for the fiscal year shall not exceed legislative net appropriation plus actual revenue.

Further amend the appropriation For resources and economic development: Division of economic development: Vacation travel promotion, by striking out the word "Planning" and inserting in place thereof the words Planning and promotion.

Further amend the appropriation For resources and economic development: Water resources board, by changing the figures for "Equipment" as follows: 2,030 changed to 2,680; by changing the figures for "Stream flow gauging" as follows: 24,000 changed to 24,200; by changing the figures for "Total for water resources board" as follows: 152,132 changed to 154,982; and, by changing the figures for "Net appropriation" for the Water resources board as follows: 127,555 changed to 128,405.

Further amend the appropriation For resources and economic development by changing the figures for "Total for department of resources and economic development" as follows: 1,729,279 changed to 1,680,112.

Amend the appropriation For department of safety: Office of commissioner, by changing the figures for "Other personal services: Permanent" as follows: 72,685 changed to 73,885; by changing the figures for "Total" personal services, as follows: 91,204 changed to 92,404; by changing the figures for "Total" for office of commissioner, as follows: 106,829 changed to 108,756; and, by changing the figures for "Less transfer from

highway fund" as follows: 102,556 changed to 103,756. Further amend the appropriation For department of safety: Initial plate fund, by adding at the end of the paragraph after "Driver assistance" the following: Police training school 4,000 and by changing the figures for "Total" for Initial plate fund as follows: 76,640 changed to 80,640; and, by also changing the figures for "Less estimated revenue" as follows: 76,640 changed to 80,640. Further amend the appropriation For department of safety: Division of state police: Traffic bureau, by striking out the same and inserting in place thereof the following:

Traffic bureau:	
Salary of director	11,850
Other personal services:	
Permanent	910,053
Other	2,000
	<hr/>
Total	923,903
Current expenses	83,445
Travel:	
In state	170,000
Out of state	1,500
Equipment	208,715
Other expenditures:	
Training	3,800
Oasi and retirement	47,345
Blue cross, insurance	6,455
	<hr/>
Total for traffic bureau	1,445,163
Less estimated revenue	42,400
Less transfer from turnpikes	133,711
Less transfer from highway fund	1,269,052
	<hr/>
Net appropriation	0

Further amend the appropriation For department of safety: Division of state police: Communications by striking out the same and inserting in place thereof the following:

Communications: #	
Personal services:	
Permanent	63,477
Current expenses	16,000

Travel:		
In state	4,900	
Equipment	4,000	
Other expenditures:		
Training school	1,000+	
Oasi, retirement, blue cross, insurance	4,127	
	<hr/>	
Total	93,504	
Less estimated revenue	800	
Less transfer from highway fund	82,548	
Net appropriation		10,156

+Expenditure shall be subject to prior approval of the governor and council. No transfer shall be made from this appropriation.

#Only one uniformed employee shall be assigned to the communications section.

Further amend the appropriation For department of safety: Division of state police, by inserting the following new paragraph after "Communications":

Crowd control equipment	10,000	
Less transfer from highway fund	5,000	
	<hr/>	
Net appropriation		5,000

Further amend the appropriation For department of safety: Division of state police, by changing the figures for "Total for state police" as follows: 142,824 changed to 147,824. Further amend the appropriation For department of safety by changing the figures for "Total for department of safety" as follows: 393,241 changed to 398,241.

Amend the appropriation For secretary of state: Office of secretary, by striking out the same and inserting in place thereof the following:

Office of secretary:	
Salary of secretary	13,501
Salary of deputy secretary	10,741
Other personal services:	
Permanent	53,184
Other	3,675

Total	81,101
Current expenses	7,030
Travel:	
In state	125
Out of state	800
Equipment	1,280
Other expenditures:	
Equipment and supplies to revise filing system for corporate and trade names	8,700
Total	99,036

Further amend the appropriation For secretary of state, by changing the figures for "Total for secretary of state" as follows: 141,883 changed to 154,158.

Amend the appropriation For industrial school: Custodial care, by changing the figures for "Personal services: Permanent" as follows: 333,721 changed to 337,702; by changing the figures for "Total" for personal services, as follows: 342,630 changed to 346,611; by changing the figures for "Current expenses" as follows: 62,596 changed to 65,350; and by changing the figures for "Total" for custodial care, as follows: 407,316 changed to 414,051. Further amend the appropriation For industrial school by changing the figures for "Total for industrial school" as follows: 736,543 changed to 743,278; and, by changing the "Net appropriation" for the industrial school, as follows: 730,043 changed to 736,778.

Amend the appropriation For higher education fund, by changing the figures and sign as follows: 6,875,000+ changed to 7,550,000+.

Amend the appropriation For board of education: Administration, by striking out the same and inserting in place thereof the following:

Administration:	
Salary of commissioner	16,860
Salary of deputy commissioner	13,620
Other personal services:	
Permanent	202,680

Other	1,500
Total	234,660
Current expenses	20,000
Travel:	
In state	6,500
Out of state	2,500
Equipment	2,300
Other expenditures:	
Implementation of higher education loan program	2,500#
Total	268,460

#This appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 1967. Further amend the appropriation For board of education; by inserting after Foundation aid: State aid to school districts the following new section:

Special aid to 20 school districts 102,710

Further amend the appropriation For board of education: Smith Hughes and George Barden by placing an asterisk after 86,489 for Personal services: Permanent and inserting the following footnote at the end of the paragraph: *This appropriation includes funds for a new position of Director of business education and these funds shall not be transferred or expended for any other purpose. The commissioner of education shall fill this position as soon as possible.

Further amend the appropriation For board of education: Intellectually retarded children by striking out said paragraph and inserting in place thereof the following paragraph:

Intellectually retarded, physically handicapped
and emotionally disturbed children 150,000#

#In this appropriation no less than \$87,757 shall be for intellectually retarded children.

Further amend the appropriation For board of education, by inserting after the paragraph for "National defense education act—title X" the following new paragraph:

Manpower development and training fund:

Other expenditures	750,000#
Less estimated federal funds+	675,000

Net appropriation	75,000
-------------------	--------

#This appropriation shall not lapse at June 30, 1966.

+If the federal grant is less than the amount of the estimate shown herein, the total appropriation shall be reduced in like proportion.

Further amend the appropriation For board of education, by changing the figures for "Total for board of education", as follows: 6,302,328 changed to 6,545,281. Further amend said appropriation For board of education, by striking out the words "Net appropriation" and the figures 6,295,628 and inserting in place thereof the following:

Net appropriation+	6,538,581
--------------------	-----------

+Other provisions of law notwithstanding, the balance at June 30, 1965 in the Building projects account shall lapse on July 1, 1965 to unappropriated surplus of the general fund.

Amend the appropriation For coordinating board of advanced education and accreditation by striking out the same and inserting in place thereof the following:

For coordinating board of advanced education and accreditation:

Salary of executive secretary	5,000
Other personal services:	
Other	3,167
	<hr/>
Total	8,167
Current expenses	750
Travel:	
In state	900
Out of state	100
Equipment	80

Total	9,997
-------	-------

Amend the appropriation For bank commissioner: Administration, by striking out under Other personal services the word

and sign "Permanent*" and inserting in place thereof the word Permanent, and by deleting the related footnote at the end of the paragraph. Further amend the appropriation For bank commissioner by striking out the words and sign "Total for bank commissioner**" and inserting in place thereof the words Total for bank commissioner and by deleting the related footnote at the end of the appropriation relating to bank examiner grades. Insert the following at the end of the appropriation:

Note: Other provisions of law notwithstanding, the balance at June 30, 1965 in the small loan and motor vehicle finance and branch banking accounts shall lapse on July 1, 1965 to unappropriated surplus of the general fund.

Amend the appropriation For liquor commission: Administration: Current expenses, by striking out the figures and sign 74,450# and deleting the related footnote at the end of the paragraph and inserting in place thereof the figures 53,870. Further amend said appropriation for Administration by changing the figures for "Total" for administration as follows: 457,825 changed to 437,245. Further amend the appropriation For liquor commission: Stores operation, by striking out the same and inserting in place thereof the following:

Stores operation: #

Personal services:

Permanent##	1,173,792
Other	175,000

Total	1,348,792
-------	-----------

Current expenses	363,750
------------------	---------

Travel:

In state	15,875
----------	--------

Equipment	19,500
-----------	--------

Other expenditures:

Oasi and retirement	75,472
---------------------	--------

Total	1,823,389
-------	-----------

Less revenue from

Sweepstakes Commission	246,600
------------------------	---------

Net appropriation	1,576,789
-------------------	-----------

#Two stores in downtown Nashua shall be continued in addition to the new store being constructed.

This appropriation contains funds for a Manager II, Assistant Manager and 3 Retail Store Clerks for the Pelham store and a new permanent Retail Store Clerk for the Whitefield store.

Further amend the appropriation For liquor commission: Warehouse by inserting an asterisk after the words "Personal services" and inserting the following footnote at the end of the paragraph:

*Three warehouse watchman positions shall be abolished when liquor stock is moved from old warehouse.

Further amend the appropriation For liquor commission, by changing the figures for "Total for liquor commission" as follows: 2,148,992 changed to 2,176,169.

Amend the appropriation For public utilities commission, by changing the figures for "Travel: In state" as follows: 5,360 changed to 5,860; and, by changing the figures for "Total for public utilities commission" as follows: 203,508 changed to 204,008.

Amend the appropriation For tax commission, by inserting after the paragraph for "Forest conservation aid for purposes provided under RSA 79 (Supp)" the following new paragraph:

Appraisal school for selectmen and assessors	2,000
--	-------

Further amend the appropriation For tax commission, by changing the figures for "Total for tax commission" as follows: 722,901 changed to 724,901.

Amend the appropriation For fish and game department: Damage; by changing the figures for "Current expenses", as follows: 4,450 changed to 6,450; by changing the figures for "Total" for Damage as follows: 19,309 changed to 20,309; by changing the figures for "Total for fish and game department", as follows: 1,456,361 changed to 1,458,361; and by changing the figures for "Less revenue and balance" as follows: 1,456,361 changed to 1,458,361.

Amend the bill at the end of section 1 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1966" as follows: 43,006,209 changed to 44,233,596.

Amend section 24 of the bill by striking out said section and inserting the following sections after section 23.

24 Interim employment. In addition to any sum hereinabove appropriated for the office of the secretary of state there is hereby appropriated \$6,500 for the employment of Benjamin F. Greer, clerk of the senate during the period from July 1, 1965 to June 30, 1966 at the rate of \$250 bi-weekly. The services of said Benjamin F. Greer shall be available to interim legislative committees and to the secretary of state's department. The sum hereby appropriated shall be a charge on the legislative appropriation.

25 Stenographic overtime. Employees of the secretary of state's office shall be reimbursed for overtime work performed on legislative matters for the 1965 session of the general court at the rate of three dollars and fifty cents per hour, payments of such overtime shall be a charge on the legislative appropriation.

26 Room assignment. Other provisions of law notwithstanding, all rooms on the third floor of the state house shall be assigned for use by the President of the Senate and the Speaker of the House.

27 Rental or purchase of automatic Data Processing equipment. All contracts for the purchase or rental of automatic data processing equipment in force on the effective date of this act and all contracts for such purchase or rental let prior to June 30, 1966 shall terminate and end on that date. Effective for the fiscal year ending June 30, 1967, the expenditure of funds for the procurement of all automatic data processing equipment shall be accomplished by competitive bid through the division of purchase and property. All state agencies contemplating the use of such equipment shall co-operate with the director of purchase and property and furnish such information as is necessary to establish adequate performance specifications. The director shall establish rules of procedure, and hire necessary consultant services for advice in drawing specifications and recommending contract awards. The governor and council shall approve all contracts for the procurement of automatic data processing equipment in accordance with the provisions of this section. The director of purchase and property is hereby directed to file with the office of the legislative budget assistant a copy of all records including but not being limited to requests for bids,

bids, performance specifications, rules, letters of advice and recommendations received by him pursuant to the provisions of this section.

28 Capital budget study and report. The president of the senate and the speaker of the house are hereby authorized to each appoint one knowledgeable person having experience and background in finance and business and such two appointees are hereby authorized and directed to make a continuing study during the interim of the manner in which the capital budget is carried out and executed and they shall prior to the convening of the 1967 session of the general court make a report of their findings and recommendations to said general court in order that it may make any provisions in any future capital budget so that the intentions of the general court shall be clearly expressed and carried out. Each such appointee shall be paid a per diem, at a rate to be set by the president and speaker, and his actual expenses while engaged in his duties pursuant to this section, both of which shall be a charge against the legislative appropriation.

29 New positions. Notwithstanding any other provision of law, during the fiscal year ending June 30, 1966, no new position, or positions, whether classified or unclassified, shall be established except as hereinafter provided and if any position or positions are so established the person or persons employed in such position or positions shall be paid as hereinafter provided: (1) Upon a finding by the governor and council that a bona fide emergency exists they may establish new positions provided, however, that the funds for the salary of the person or persons employed to fill such new positions shall be transferred from the emergency fund (2) A new position or positions may be established under other existing statutes provided that no less than fifty percent of the salary of the person or persons employed to fill such new position or positions is reimbursable by federal or other special funds, and if such new position or positions are established the state's share of said salary shall be a charge against the salary adjustment fund.

30 Takes effect. This act shall take effect July 1, 1965.

Senator Martel moved that consideration of HB 653 be made a Special Order of Business for next Tuesday at 11:02, and spoke in support: "Mr. President, the purpose of making this motion is because what little time I have had to look over

the amendments, I cannot in honest conscience make an honest analysis of these changes to adequately explain my stand and that of the administration. There are many changes that have come forth and I am sure that there are going to be lots of debate. As I look at my colleagues, and those not on the Finance Committee, who are not aware of the changes that have been inserted in the Supplement which I believe was made available to them only yesterday or this morning. Frankly, I do not feel that I could honestly and intelligently debate these questions at this time. This is a serious matter, Mr. President, and as I look at you and remember the few remarks that you made earlier regarding the Governor's veto, you believed that the Governor should be given time and I concurred, and I believe that this would be the orderly process and I would sincerely hope that my colleagues would support me and I would urge the support of the Senators from the 4th and 5th Districts. Over the week end, we will have ample time to give things the serious consideration that it deserves."

Senator Lamprey: "I don't have any strong feeling about the motion that has been made by Senator Martel. However, I wish that he might amend his motion so that it might be Monday instead of Tuesday, to give us that extra time because I think that will give us 3 days to read over the amendments and then if he would agree with that, I would like briefly to go over the changes that have been made and the reasons why they have been made. Then, if there are questions, we might prepare ourselves more or less for the questions that will be forthcoming. There is quite a lot of detail in that budget. A couple million dollars' worth of money is under consideration in that budget."

Senator Rinden: "Mr. President, as I have just appraised Senator Lamprey, I find it necessary to be out of the Senate on Monday, due to a court commitment which is one of several weeks' standing. This is the first request that I have made this session and I feel very strongly that I should be here to vote on this budget. I would request that it be left for Tuesday. I cannot change the court calendar. It is either Monday or next year at this time. It involves many thousands of dollars and has already been delayed too long. I would respectfully request that Senator Martel's motion be adopted and it would give me the opportunity to represent the people of the 15th District."

Senator Martel requested a brief Recess, which request was granted by the Chair.

(Recess)

The Senate re-assembled.

Question being on motion of Senator Martel for Special Order for Tuesday.

Senator Rinden: "Mr. President, I just wish to say again that I am bound by commitment to be in Merrimack County Court on Monday of next week. This is the first time that I have asked Senatorial courtesy, but I am not free to break that commitment, but I also have a commitment to the people of the 15th District which is just as important, as any other group in the State. I think that I am entitled to Senatorial courtesy on this score. I will say right now that there are portions in the budget that I do not agree with. I do not agree with cutting the Governor's salary. It should be \$30,000. There may be other things and I am asking this Senate for me and my people to be heard on this important legislation."

Senator Blaisdell: "Mr. President, I concur with Senator Rinden. I think his people should be considered and I think they should be represented."

Senator Lamprey: "What you do will be your decision to do and I will only try to point out to you with some background of experience in procedure that it would appear to me that it is very important, if at all possible, to pass the budget bills early next week so that the debate could take place, so that the Committee of Conference, which historically must take place, meets and makes its decision. If it is at all possible this Committee of Conference should report both to the House and Senate on this particular piece of legislation which is the largest piece of legislation to be engrossed, so that it might be engrossed over the week end. If you leave this piece of legislation flopping around to be engrossed the first of the week after next, then believe me, we are in serious trouble to get out of here. If you wish to adjourn in orderly process after the budget is passed, this is my suggestion. I just don't want to be responsible for another 1961 breakdown of the legislative process. I too question whether or not it might be possible to get a quorum after July 1st and therefore, if it is at all possible, to act on the budget on Monday, I would hope that we would do so. This will

give everybody the opportunity to study it over the week end and ask whatever questions they desire. I would also ask of the twenty-three Senators present, does the State business come first, or does orderly progress of the legislative process come first, or does Senatorial courtesy come first. I oppose the present motion. Whatever you decide, I am with you whatever you do."

Senator Martel: "Mr. President, I dislike very much, of course, being between satisfying the wishes of one Senator and displeasing the other. My motion is for Tuesday. There are already two Special Orders for Monday. I know that some may be of small account. However, Senator Lamprey has merit as to the question of deciding whether state business comes first or that which concerns an individual Senator, but I also realize that seldom have we ever refused this courtesy requested by any of us. Next Tuesday, I can assure you that your time will be my time. I will be here nights, if necessary. Inasmuch as I do not wish to oppose the wishes of Senator Lamprey, I will stand by my motion and hope that Senator Rinden, who I am sure is vitally interested in the budget, as much as we are, and I would hate very much to see him absent when this budget is taken up."

Senator Riley: "Mr. President, I am in sympathy and agree with Senator Rinden. We can study this over the week end, but on Monday morning, it is difficult for some of us to get here. I feel that anything of this magnitude should be given our utmost consideration."

Question being on motion for Special Order for Tuesday at 11:02.

On this question, Senator Blaisdell requested a Division.

Eight Senators having voted in the affirmative, and eleven Senators having voted in the negative, the negative prevailed, and the motion was lost.

Senator Blaisdell requested a brief Recess.

(Recess)

The Senate re-assembled.

Senator Howard moved that the budget bill, HB 653, be made a Special Order of Business for Monday at 11:03.

Senator Blaisdell: "Mr. President, out of courtesy to Senator Rinden, might I not ask that we make this a night session on Monday?"

Senator Rinden: "I appreciate that suggestion and I would concur. I know that it would mean a sacrifice to the other Senators, but I would appreciate their making that sacrifice."

Senator Lamprey stated that he would support the motion of Senator Howard, for Special Order on Monday at 11:03 a.m.

Senator Blaisdell: "Mr. President, this is also an imposition on me, I am a small business man and must open up and close my store. But in the last weeks of the session, I think we owe Senator Rinden that courtesy."

Senator Lamontagne: "Mr. President, I drive 426 miles every night and will not be able to be here for any night session. I want to be here, but it is impossible."

Question being on motion of Senator Howard for Special Order at 11:03 on Monday morning.

On this question, the Chair was in doubt and requested a Division.

Twelve Senators having voted in the affirmative, and nine Senators having voted in the negative, the affirmative prevailed, and the motion carried.

Senator Provost, for the Committee on Finance: HB 654, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1967. Ought to pass with amendments.

Amend section 1 of the bill as follows:

Amend the section for legislative branch by striking out the same and inserting in place thereof the following:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$184,500 for the office of legislative budget assistant to the appropriations and finance committees, \$75,500 for the office of

legislative services and \$16,500 for the office of research analyst to the senate finance committee, as follows: (Salary of legislative budget assistant \$17,500, other expenditures \$167,000#) (Legislative services—other expenditures \$75,500##) (Salary of research analyst to senate finance committee \$9,500, other expenditures \$7,000) \$688,900

Travel and expenses authorized by RSA 14-A:3 (supp)	7,500
Council of state governments	3,600
Legislative council	2,500
Total for legislative branch	<u>702,500</u>

#In this appropriation \$5,000, or so much as necessary, may be expended by the legislative budget assistant for an audit of the state treasury. The legislative budget assistant may designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of paragraph II, section 31, chapter 14, RSA, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer. The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor.

##This appropriation includes \$10,000, or so much as necessary, for a continuing interim study of the settlement laws.

Amend the appropriation For executive branch by striking out the same and inserting in place thereof the following:

For executive branch:

Office of governor:	
Salary of governor	20,000
Other personal services:	
Other+	45,000
Total	<u>65,000</u>
Current expenses	8,000
Travel:	
In state#	2,500
Out of state	2,000
Equipment##	5,000

Other expenditures:

Contingent fund	15,000
Governor's special fund*	10,000
New England governor's council	8,000
Governor's legal counsel	7,475
Secretary for legal counsel	2,340

Total	125,315
-------	---------

+Salaries paid out of this appropriation shall be at levels set by the governor.

#Expense of operating and maintenance of the governor's state car shall be charged to this appropriation.

##Included in this sum is \$4,000 for purchase of a new state car for the governor.

*The funds appropriated under this item are to be spent by the governor in his own and sole discretion for state purposes, including but not limited to participation in the activities of the United States' Governors Conference, the New England Conference of Governors, and the council of state governments, for which monies are not otherwise appropriated.

Office of economic opportunity:

Personal services:

Temporary	\$40,800
Consultants	2,000

Total	42,800
-------	--------

Current expenses	6,950
------------------	-------

Travel:

In state	3,000
----------	-------

Equipment	2,578
-----------	-------

Total	55,328
-------	--------

Less federal grant	49,250
--------------------	--------

Net appropriation	6,078*
-------------------	--------

*State matching appropriations available for expenditure only if funds are available from a federal grant. If the federal grant is reduced, expenditure of state matching appropriation shall be reduced proportionately.

Emergency fund	75,000
Executive council:	
Personal services:	
Other—per diem	19,750
Secretary to executive council	3,250
	<hr/>
Total	23,000
Current expenses	2,000
Travel:	
In state	4,500
Out of state	500
	<hr/>
Total for executive council	30,000
	<hr/>
Total for executive branch	236,393
	<hr/>

Amend the appropriation For judicial branch: For supreme court by changing the figures for "Salary of clerk-reporter", as follows: 12,300 changed to 15,000; by changing the figures for "Total" for personal services, as follows: 139,872 changed to 142,572; by changing the figures for "Total" for supreme court, as follows: 154,547 changed to 157,247; and by changing the figures for "Net appropriation", as follows: 153,897 changed to 156,597.

Further amend the appropriation For judicial branch: For judicial council by striking out the same and inserting in place thereof the following:

For judicial council	8,850+
----------------------	--------

+In this appropriation \$5,400 shall be for the salary of the secretary.

Further amend the appropriation For judicial branch: For administrative committees, by striking out the same and inserting in place thereof the following:

For administrative committees:	
For district and municipal courts	5,950
For probate courts	500
	<hr/>
Total	6,450

Further amend the appropriation For judicial branch by changing the figures for "Total for judicial branch," as follows: 464,587 changed to 472,512.

Amend the appropriation For adjutant general's department: Central administration office, by changing the figures for "Current expenses" as follows: 6,670 changed to 7,170; by changing the figures for "Total" of said paragraph, as follows: 79,092 changed to 79,592; by changing the figures for "Total for adjutant general's department" as follows: 426,310 changed to 426,810; by changing the figures for "Net appropriation" as follows: 359,274 changed to 359,774.

Amend the appropriation For administration and control: Division of budget and control, by striking out the same and inserting in place thereof the following:

Division of budget and control:

Salary of comptroller	16,620
-----------------------	--------

Salary of business supervisor	13,560
-------------------------------	--------

Salary of assistant business supervisor	12,120
---	--------

Other personal services:

Permanent	5,120
-----------	-------

Other	2,600
-------	-------

Total	50,020
-------	--------

Current expenses	3,784
------------------	-------

Travel:

In state	750
----------	-----

Out of state	510
--------------	-----

Equipment	325
-----------	-----

Other expenditures:

Atlantic marine fisheries	700
---------------------------	-----

Firemen's relief	4,000
------------------	-------

League of N. H. arts and crafts	10,000+
---------------------------------	---------

New England board of

 higher education:

Expenses	5,660
----------	-------

Grants	50,000
--------	--------

Oasi contributions:

State employees	570,000
-----------------	---------

Teachers	565,000
----------	---------

Total	
-------	--

	1,260,749
--	-----------

+At the close of each year an operating statement shall be submitted to the governor and council.

Further amend the appropriation For administration and control: N. H. distributing agency: Surplus property division, by changing the figures for "Travel: Out of state", as follows: 500 changed to 800; by changing the figures for "Total" of said paragraph as follows: 39,618 changed to 39,918; and, by changing the figures for "Less estimated revenue and balance" as follows: 39,618 changed to 39,918.

Further amend the appropriation For administration and control, by changing the figures for "Total for administration and control" as follows: 1,903,350 changed to 1,890,090.

Amend the appropriation For attorney general's department: Office of attorney general, by striking out the word and sign "Reports+" and inserting in their place the following words and sign: Reports and opinions+ and also the following footnote relative thereto:

+The attorney general shall submit at least monthly to the legislative budget assistant copies of all opinions given by his office. This appropriation shall cover the expense of printing certain reports and also the expense for a part time trainee in the office not exceeding five hundred dollars. No part of this appropriation shall be transferred or expended for any other purpose than herein set forth; this appropriation shall not lapse but shall be available for expenditure in the ensuing year.

Further amend the appropriation For attorney general's department: Legal assistance for land acquisition by striking out the same and inserting in place thereof the following:

Legal assistance for land acquisition:

Salaries of two assistant attorney's general	20,281
Other personal services:	
Permanent	7,521
	<hr/>
Total	27,802
Current expenses	325
Travel:	
In state	1,525

Equipment	1,000	
	<hr/>	
Total	30,652	
Less transfer from highway fund	30,652	
	<hr/>	
Net appropriation		0

Further amend the appropriation For attorney general's department: Division of charitable trusts, by striking out the same and inserting in place thereof the following:

Division of charitable trusts:

Salary of director	6,240	
Other personal services:		
Permanent	6,711	
Other	400	
	<hr/>	
Total	13,351	
Current expenses	400	
Travel:		
In state	150	
Out of state	100	
Equipment	200	
	<hr/>	
Total		14,201

Further amend the appropriation For the attorney general's department by changing the figures for "Total for attorney general", as follows: 157,165 changed to 157,485.

Amend the appropriation For department of health and welfare: Office of commissioner of health and welfare, by striking out the same and inserting in place thereof the following:

Office of commissioner of health and welfare:

Salary of commissioner	17,680	
Business supervisor—health and welfare	13,500	
Other personal services:		
Permanent	172,827	
Other	3,000	
	<hr/>	
Total	207,007	
Current expenses	47,459	

Travel:	
In state	1,900
Out of state	1,400
Equipment	1,571
Other expenditures:	
Oasi and retirement	12,610
	<hr/>
Total for office of commissioner	271,947
	<hr/>

Further amend the appropriation For department of health and welfare: Division of public health services: Health: Vital statistics by striking out the word and sign "Total+" and inserting in place thereof the word Total; further amend by striking out the footnote following said paragraph.

Further amend the appropriation For department of health and welfare: Division of welfare: Administration by striking out the same and inserting in place thereof the following:

Administration:	
Salary of director	13,184
Other personal services:	
Permanent	154,970
Other	7,000
	<hr/>
Total	175,154
Current expenses	21,078
Travel:	
In state	4,860
Out of state	1,228
Other expenditures:	
Blue cross and insurance	7,458
Merit system	4,500
Educational leave+	10,000
Employees retirement	51,694
Social security	40,340
Physical examinations for applicants	1,000
	<hr/>
Total	317,312

+Not to be transferred or used for any other purpose. The total grant to any one person shall not exceed \$5,000 which shall include tuition and stipend.

Further amend the appropriation For department of health and welfare: Division of welfare: Field services, by striking out the same and inserting in place thereof the following:

Field services:

Personal services:

Permanent	751,427
Other	5,075

Total	756,502
Current expenses	70,000
Travel:	
In state	40,316
Out of state	500
Equipment	5,761

Total	873,079
-------	---------

Further amend the appropriation For department of health and welfare: Division of welfare, by inserting after the appropriation for "John Nesmith fund" the following new paragraph:

Foster day care:

Personal services:

Permanent	11,347
Current expenses	880

Travel:

In state	2,316
----------	-------

Other expenditures:

Retirement	483
Social security	46

Total	15,072
Less estimated federal funds	15,072

Net appropriation	0
-------------------	---

Further amend the appropriation For department of health and welfare: Old age assistance, by changing the figures for "State's share" as follows: 950,082 changed to 1,353,364; by changing the figures for "Net appropriation" as follows: 859,082 to 1,262,364; by changing the figures for "Towns and counties" as follows: 1,178,254 changed to 1,312,682; and, by changing the figures for "Less estimated revenue" from towns and counties as follows: 1,178,254 changed to 1,312,682. Further amend

the appropriation For department of health and welfare: Division of welfare: Old age assistance to aliens, by changing the figures for "Towns and counties" as follows: 254,987 changed to 303,516; and by changing the figures for "Less estimated revenue" from towns and counties, as follows: 254,987 changed to 303,516.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to dependent children, by changing the figures for "State's share" as follows: 1,352,175 changed to 1,369,797; and by changing the figures for "Net appropriation" for aid to dependent children as follows: 1,272,175 changed to 1,289,797.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to needy blind: by changing the figures for "State's share" as follows: 183,878 changed to 220,685; and by changing the figures for "Net appropriation" for Aid to needy blind, as follows: 181,678 changed to 218,485.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to permanently and totally disabled: by changing the figures for "State's share", as follows: 217,293 changed to 267,636; by changing the figures for "Towns and counties" as follows: 329,338 changed to 356,445; and by changing the figures for "Less estimated revenue" from towns and counties as follows: 329,338 changed to 356,445.

Further amend the appropriation For department of health and welfare: Division of welfare by changing the figures for "Total for division of welfare" as follows: 4,375,621 changed to 5,090,633; by changing the figures for "Less transfer re administration from federal grants", as follows: 620,339 changed to 723,891; and by changing the figures for "Net appropriation" as follows: 3,744,922 changed to 4,356,642. Further amend the appropriation For department of health and welfare: Division of welfare: by inserting at the end of said appropriation the following:

Note: Other provisions of law notwithstanding, any balance remaining in state accounts at the close of the fiscal year shall lapse to unappropriated surplus of the general fund.

Nursing homes and hospitals providing nursing care shall be eligible for payment by the Division of Welfare for nursing care.

If revenue and balance exceed estimates in the federal, town and county accounts of the welfare division, such excess may be expended with the approval of the governor and council, provided however that any federal administration funds in these accounts must first be transferred to the estimated revenue account for that purpose. The director of the division of welfare shall monthly certify to the comptroller the amount of said administration funds so earned and the comptroller shall then effect the transfer.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration, by changing the figures for "Other personal services: Permanent" as follows: 70,348 changed to 77,068, by changing the figures for "Total" for personal services as follows: 98,968 changed to 105,688; and by changing the figures for "Total" for administration as follows: 103,993 changed to 110,713. Further amend said appropriation for Laconia state school: Professional care and treatment, by changing the figures for Personal services: Permanent, as follows: 1,092,857 changed to 1,111,357; by changing the figures for "Total" for personal services as follows: 1,108,857 changed to 1,127,357, and by changing the figures for "Total" for Professional care and treatment as follows: 1,133,257 changed to 1,151,757. Further amend said appropriation for Laconia state school: Custodial care: by changing the figures for "Personal services: Permanent" as follows: 248,834 changed to 252,507; by changing the figures for "Total" personal services as follows: 250,834 changed to 254,507; and by changing the figures for "Total" for Custodial care, as follows: 524,418 changed to 528,091. Further amend said appropriation for Laconia state school by changing the figures for "Total for Laconia state school" as follows 2,265,132 changed to 2,294,025; and by changing the figures for "Net appropriation" for Laconia state school as follows: 2,253,332 changed to 2,282,225.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration, by changing the figures for "Current expenses" as follows: 48,236 changed to 68,236; and by changing the figures for "Total" for administration as follows: 197,189 changed to 217,189. Further amend said appropriation for New Hampshire hospital: Professional care and treatment by inserting Senior psychiatrist (13) 157,243 before "Personal services" and

by changing the figures for "Personal services: Permanent" from 3,436,365 changed to 3,189,122; by changing the figures and sign for "Current expense" as follows: 156,608+ changed to 158,608+; by changing the figures for "Total" for professional care and treatment, as follows: 3,626,716 changed to 3,628,716; and by deleting the footnotes following said paragraph and inserting in place thereof the following:

#This appropriation includes salaries for two temporary psych. social workers who shall be assigned to the geriatrics program, and \$5,000 for psychology interns which shall not be used for any other purpose. Students accepted as medical interns shall have completed a minimum of two years of medical school.

+No charge against this appropriation or any other appropriation of the New Hampshire hospital shall be made for nurses uniforms.

Further amend said appropriation for New Hampshire hospital by changing the figures for "Total for New Hampshire hospital" as follows: 6,118,867 changed to 6,140,867, and by changing the figures for "Net appropriation" for the New Hampshire hospital as follows: 6,055,367 changed to 6,077,367.

Further amend the appropriation For department of health and welfare: Division of mental health, by changing the figures as follows: 8,588,624 changed to 8,639,517; Further amend the total For department of health and welfare by changing the figures for "Total for department of health and welfare" as follows: 14,798,627 changed to 15,464,110.

Amend the appropriation For barbers' board by changing the figures for "Personal services: Other" as follows: 1,100 changed to 1,650; and by changing the figures for "Total" for barbers board as follows: 5,670 changed to 6,220.

Amend the appropriation For insurance department by striking out the entire appropriation and inserting in place thereof the following:

For insurance department:

Office of commissioner:

Salary of commissioner	15,181
Salary of deputy commissioner	12,240
Salary of assistant to commissioner	9,375

Other personal services:		
Permanent	64,403	
	<hr/>	
Total	101,199	
Current expenses	8,995	
Travel:		
In state	100	
Out of state	1,000	
Equipment	560	
	<hr/>	
Total		111,854
Rating division:		
Personal services:		
Permanent	19,775	
Current expense	1,435	
Travel:		
In state	100	
Out of state	400	
Equipment	130	
	<hr/>	
Total		21,840
Real estate division:		
Personal services:		
Permanent	4,851	
Current expenses	1,872	
Travel:		
In state	100	
Out of state	200	
Equipment	425	
	<hr/>	
Total		7,448
		<hr/>
Total for insurance department		141,142
		<hr/>

Amend the appropriation For personnel department by changing the figures for "Current expense" as follows: 4,834 changed to 5,534; by changing the figures for "Total" for personnel department as follows: 116,855 changed to 117,555; and, by changing the figures for "Net appropriation" as follows: 102,335 changed to 103,035.

Amend the appropriation For resources and economic development: Office of commissioner: Division of administration,

warehouse and graphic arts, by striking out said division and inserting in place thereof the following:

Division of administration, warehouse and graphic arts:

Salary of commissioner	16,281	
Other personal services:		
Permanent	152,042	
Other	7,200	
		<hr/>
Total	175,523	
Current expenses	17,500	
Travel:		
In state	2,000	
Out of state	900	
Equipment	2,500	
Other expenditures:		
Community recreation services	15,000+	
		<hr/>
Total		213,423

+This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For resources and economic development: Office of commissioner by changing the figures for "Total for office of commissioner as follows: 294,284 changed to 309,284.

Further amend the appropriation For resources and economic development: Division of resources development by inserting the sign "++" after the words "Total for division of resources development"; and by adding the following footnote after said division:

++If the income from federal grants exceeds estimates, such excess may be expended with approval of the governor and council.

Further amend the appropriation For resources and economic development: Division of parks, by deleting the footnote at the end of said division designated with the sign "*" and insert in place thereof the following:

*Rates charged at service and self-supporting parks shall be adjusted to assure that estimated revenue will be realized.

Expenditures for the division of parks, for the fiscal year, shall not exceed legislative net appropriation plus actual revenue.

Further amend the appropriation For resources and economic development: Division of economic development: Vacation travel promotion: Other expenditures by striking out the word "Planning" and inserting in place thereof the words: Planning and promotion.

Further amend the appropriation For resources and economic development: Water resources board, by changing the figures for "Current expense" as follows: 3,500 changed to 3,800; by changing the figures for "Other expenditures: Stream flow gauging" as follows: 24,000 changed to 24,200; by changing the figures for "Total for water resources board as follows: 153,775 changed to 154,275; and by changing the "Net appropriation" as follows: 127, 147 changed to 127,647.

Further amend the appropriation For resources and economic development by changing the figures for "Total for department of resources and economic development" changed as follows: 1,979,645 changed to 1,995,145.

Amend the appropriation For department of safety: Office of commissioner by changing the figures for "Other personal services: Permanent" as follows: 70,113 changed to 71,313; by changing the figures for "Total" personal services as follows: 88,713 changed to 89,913; by changing the "Total" for office of commissioner, as follows: 105,588 changed to 106,788; and by changing the figures for "Less transfer from highway fund," as follows: 101,364 changed to 102,564.

Further amend the appropriation For department of safety: Initial plate fund, by adding after "Driver assistance" the following: Police training school 4,000; and, by changing the figures for "Total" for initial plate fund as follows: 76,644 changed to 80,644; and, by changing the figures for "Less estimated revenue" as follows: 76,644 changed to 80,644.

Further amend the appropriation For department of safety: Division of state police: Traffic bureau by striking out said section and inserting in place thereof the following:

Traffic bureau:

Salary of director

12,000

Other personal services:	
Permanent	930,310
Other	2,000
	<hr/>
Total	944,310
Current expenses	83,420
Travel:	
In state	179,000
Out of state	1,500
Equipment	109,900
Other expenditures:	
Training	3,800
Oasi and retirement	46,390
Blue cross, insurance	6,260
For new troopers:	
Automobiles	12,000
Radios	2,934
Uniforms and equipment	4,590
Retirement, blue cross, insurance	4,902
	<hr/>
Total for traffic bureau	1,399,006
Less estimated revenue	42,400
Less transfer from turnpikes	133,325
Less transfer from highway fund	1,223,281
	<hr/>

Net appropriation

0

Further amend the appropriation For department of safety: Division of state police: Communications, by striking out said section and inserting in place thereof the following:

Communications: #

Personal services:	
Permanent	63,520
Current expenses	16,000
Travel:	
In state	4,900
Equipment	1,900
Other expenditures:	
Oasi, retirement, blue cross, insurance	4,210
	<hr/>
Total	90,530
Less estimated revenue	800

Less transfer from highway fund	80,227
------------------------------------	--------

Net appropriation	9,503
-------------------	-------

Only 1 uniformed employee shall be assigned to the communications section.

Amend the appropriation For industrial school: Custodial care, by deleting same and inserting in place thereof the following:

Custodial care:*

Personal services:

Permanent	331,485
-----------	---------

Other	8,998
-------	-------

Total	340,483
-------	---------

Current expenses+ #	65,350
---------------------	--------

Equipment	2,151
-----------	-------

Total	407,984
-------	---------

* Such sums as may be required for the custody of certain inmates shall be transferred from the emergency fund upon approval by the governor and council.

+ In this appropriation \$22,500 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$22,500.

In this appropriation \$1,550 shall be for subsistence and support of persons and shall not be used for any other purpose or transferred to any other account.

Further amend the appropriation for industrial school by changing the figures for "Total for industrial school" as follows: 676,493 changed to 683,228; and by changing the "Net appropriation" for the industrial school as follows: 669,993 changed to 676,728.

Amend the appropriation For higher education fund by deleting the same and inserting in place thereof the following:

For higher education fund:

Includes university of New Hampshire,
 Plymouth state college and
 Keene state college

6,200,000+

+ For the fiscal year ending June 30, 1967, the millage formula provided by RSA 187:24 is hereby suspended and the sum hereby appropriated shall be the total appropriation for the university of New Hampshire, Plymouth state college and Keene state college and shall be in lieu of requirements for appropriation under said RSA 187:24; provided however that there is hereby appropriated the additional sum of one million two hundred and fifty thousand dollars to be added to the above appropriation for the above uses to be a charge against unrestricted funds and if unrestricted revenue received during the fiscal year ending June 30, 1966 does not exceed the final estimate of such revenue prepared by the legislative budget assistant and submitted by him to the 1965 general court, the treasurer is hereby authorized, under the direction of the governor and council, to borrow for the purposes hereof on short-term loans the sum of one million two hundred and fifty thousand dollars, provided however that if such unrestricted revenue does exceed the said final estimate the treasurer is so authorized to so borrow only such sum as the difference between the sum of one million two hundred and fifty thousand dollars less, the excess of unrestricted revenue received during the fiscal year ending June 30, 1966 over said estimate of such revenue.

Amend the appropriation For board of education: Smith-Hughes and George Barden by placing an asterisk after 84,144 for Personal services: Permanent and inserting the following footnote at the end of the paragraph:

* This appropriation includes funds for a position of director of business education and these funds shall not be transferred or expended for any other purpose.

Further amend the appropriation For board of education: Intellectually retarded children by striking out said paragraph and inserting in place thereof the following paragraph:

Intellectually retarded, physically handicapped
 and emotionally disturbed children

150,000#

In this appropriation no less than \$102,674 shall be for intellectually retarded children.

Further amend the appropriation For board of education: by changing the figures for "Total for board of education", as follows: 6,580,871 changed to 6,628,197; by changing the figures for "Net appropriation" for the board of education as follows: 6,574,171 changed to 6,621,497.

Amend the appropriation For coordinating board of advanced education and accreditation by deleting the same and inserting in place thereof the following:

For coordinating board of advanced
education and accreditation:

Salary of executive secretary	5,000
Other personal services:	
Other	3,167
	<hr/>
Total	8,167
Current expenses	750
Travel:	
In state	900
Out of state	100
Equipment	55
	<hr/>
Total	9,972

Amend the appropriation For bank commissioner: Administration, by striking out under Other personal services the word and sign "Permanent*" and inserting in place thereof the word Permanent, and by deleting the related footnote at the end of the paragraph. Further amend the appropriation For bank commissioner by striking out the words and sign "Total for bank commissioner**" and inserting in place thereof the words Total for bank commissioner, and by deleting the related footnote at the end of the appropriation relating to bank examiner grades.

Amend the appropriation For liquor commission: Administration: Current expenses by striking out the figures and sign "61,610#" and deleting the related footnote at the end of the paragraph and, inserting in place thereof the following: 61,610.

Further amend the appropriation For liquor commission: Stores operation, by striking out the same and inserting in place thereof the following:

Stores operation:

Personal services:

Permanent	1,155,307
-----------	-----------

Other	175,000
-------	---------

Total	1,330,307
-------	-----------

Current expenses	383,150
------------------	---------

Travel:

In state	9,875
----------	-------

Equipment	19,500
-----------	--------

Other expenditures:

Oasi and retirement	73,429
---------------------	--------

Total	1,816,261
-------	-----------

Less revenue from

sweepstakes commission	246,600
------------------------	---------

Net appropriation	1,569,661
-------------------	-----------

Further amend the appropriation For liquor commission by changing the "Total for liquor commission" as follows: 2,106,281 changed to 2,156,434.

Amend the appropriation For public utilities commission by changing the figures for "Travel: In state" as follows: 5,360 changed to 5,860; and by changing the figures for "Total for public utilities commission" as follows: 198,551 changed to 199,051.

Amend the appropriation For tax commission by inserting after the Taxation of boats: Net appropriation, the following new item:

Appraisal school for selectmen
and assessors

2,000

Further amend the appropriation For tax commission by changing the figures for "Total for tax commission" as follows: 654,763 changed to 656,763.

Amend the appropriation For fish and game department: Damage; by changing the figures for "Current expenses" as follows: 4,450 changed to 6,450; and by changing the figures for "Total" for damage as follows: 18,091 changed to 20,091.

Further amend the appropriation For fish and game department by changing the figures for Total for fish and game department"

and "Less revenue and balance" as follows: 1,416,765 changed to 1,418,765.

Further amend section 1 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1967" as follows: 42,865,144 changed to 42,858,537.

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Out of state travel. Notwithstanding any other provision of law, no transfers shall be made to or from any out of state travel appropriation authorized by section 1. The state treasurer and the state comptroller shall maintain separate appropriations accounts for out of state travel as appropriated in section 1.

Amend the bill by striking out section 14 and inserting in place thereof the following new sections:

14 Interim employment. In addition to any sum appropriated hereinabove for the office of the secretary of state there is hereby appropriated \$3,250 for the employment of Benjamin F. Greer, clerk of the senate during the period from July 1, 1966 to December 31, 1966 at the rate of \$250 bi-weekly. The services of said Benjamin F. Greer shall be available to interim legislative committees and to the secretary of state's department. The sum hereby appropriated shall be a charge on the legislative appropriation.

15 New positions. Notwithstanding any other provision of law, during the fiscal year ending June 30, 1967, no new position, or positions whether classified or unclassified, shall be established except as hereinafter provided and if any position or positions are so established the person or persons employed in such a position or positions shall be paid as hereinafter provided: (1) Upon a finding by the governor and council that a bona fide emergency exists they may establish new positions provided however, that the funds for the salary of the person or persons employed to fill such new positions shall be transferred from the emergency fund (2) A new position or positions may be established under other existing statutes provided that no less than fifty percent of the salary of the person or persons employed to fill such new position or positions is reimbursable by federal or other special funds and if such new position or positions are established the state's share of said salary shall be a charge against the salary adjustment fund.

16 Room assignment. Other provisions of law notwithstanding all rooms on the third floor of the state house shall be assigned for use by the President of the Senate and the Speaker of the House.

17 Takes effect. This act shall take effect July 1, 1966.

Senator Howard moved that further consideration of the above entitled bill and proposed amendments be made a Special Order of Business for next Monday morning at 11:04.

Senator Lamprey stated that at this time, he would like to go over the budget and discuss proposed amendments, the reason for same, etc.

Senator Martel suggested that the members of the Senate listen and not interrupt, and no questions.

The Chair stated that in view of the special circumstances, and without objection, the Senate would listen to the Chairman of the Finance Committee who will speak on the budget and proposed amendments.

Remarks were made relative to the budget by the Chairman of the Finance Committee prior to the actual verbatim discussion of the budget.

Senator Lamprey: "There were certain additions made to the budget — as I remember, proposals for new positions which amounted to \$56,498. I will have a complete breakdown on this Monday for this particular item. The New Hampshire Hospital was given an additional \$44,000 and this was primarily in the area of clinical research and of course, all of these figures that I speak to and speak of are for the first year of the biennium. The Senate Finance Committee, in its wisdom, added an additional \$30,000 for a community recreation service director. This again was a special bill, special legislation, which we felt should be included in the budget which was originally requested by the department in its original request last December.

"We increased the area of the intellectually retarded children and the emotionally disturbed and the mentally retarded an additional \$111,000 and you will note a footnote in the budget which states that no less than — I think it is \$86,000 may be expended for the mentally retarded children, which would mean that the local communities would receive not less than

what they are receiving today. In the second year of the biennium, there is \$103,000 which they would receive so that again in the second year of the biennium there would be no slippage in this program for the mentally retarded children. This would leave a total of \$111,000 to start a program for the physically handicapped and the emotionally disturbed children. The total allotment for this program would be \$300,000.

"We increased the liquor commission budget by \$77,330. The reason we did this was to guarantee the funds for the Pelham store and this is footnoted — that the funds can be expended only for this purpose and to give the liquor commission additional temporary employees so that they can stay open for a longer period of time to be of greater service to the people of New Hampshire and surrounding states to purchase liquor from these stores.

"By the time that we had inserted in the budget these amounts, money was beginning to get kind of tight. Now, most towns — the needy towns that had been receiving aid under the program which was established two years ago, under the formula system whereby 107 towns received something like \$2 million a year Foundation Aid — we had given them \$102,000 a year each year of the biennium during 1964-65. Many of these communities were figuring on receiving this money for the year 1965. Therefore, we included the 20 most needy towns under the formula of Foundation Aid and this amounted to \$102,710.

"Now, what are some of the other things that the Senate Finance Committee figures must be passed during this legislative special which are not under the budget? Well, we increased the community mental health program by an additional \$300,000. We feel that the Supreme Court decision which makes it mandatory that every person that commits a felony be given a proper defense in court — that this was mandatory upon the State of New Hampshire that we give the indigent defenders at least \$100,000 for the biennium. World's Fair — we felt that we had a commitment to do what other states in New England have done and that was to allow \$20,000 for our share of the New England Pavilion. We have set aside — figuring that we must continue educational TV in New Hampshire — a figure of about \$265,000.

"To take all of these funds that I have just gone over, this would leave what we think would be an unappropriated balance in the vicinity of \$200,000. I want you to know right here that we have been working trying to reach agreement as to what should be put in the budget. For the last ten days, we have spent time in trying to figure out what might have lapsed — reevaluate what percentage of money that is going to be received from liquor, tobacco and estate taxes and all that sort of thing so that by Monday we will try to have for you a more up-to-date balance on the moneys which we think might be available for legislative purposes. And this is important to you, as it is important to the Senate Finance Committee.

"There are other areas that I know you would like for us to speak to. I would like to first take up that of the University of New Hampshire. The University of New Hampshire needs money. It must have a sufficient amount of capital; it must know that it is going to have it so that it can make commitments to teachers, for buildings and maintenance, etc. The need for higher education in New Hampshire is great. Not only must we now consider the needs of Durham, but we must consider the needs of Keene and Plymouth. And it was the judgment of the Senate Finance Committee that these needs would amount to \$15 million. I have a breakdown here some place on just what these amount to and I would like to go into just a little detail on that so that you would know exactly what happened relative to the budget requirements of the University of New Hampshire. Originally at the December meeting, the University of New Hampshire asked for \$15,630,000. Governor King, in his original recommendation, recommended \$12,740,000. Later this figure was revised to \$14,240,000. The House, in its wisdom, granted them \$13,750,000. Now the House Committee fully realized that the University of New Hampshire's needs were greater than \$13,750,000 but they could not devise a way, with the funds that were available to them, to give them more than \$13,750,000. So, the Senate Finance Committee devised a way in order to give them \$15 million and they did it in this manner. They took \$625,000 in the second year of the biennium and transferred it into the first year of the biennium and then we appropriated an additional \$1,250,000 in the second year of the biennium. But we said this shall not come out of general funds but shall come out of unappropriated surpluses. Now, I would like to state that the State of New Hamp-

shire has always operated with a sufficient surplus at the end of the first year of the biennium so this is not, in any way, shape or manner financing which is deficit financing but it is good, logical financing and which has been approved by the House and the Senate in the past. I would like to read the amount of unappropriated surpluses which have accumulated after the last ten years in each year of the biennium. These are as follows:

1954	3,222,951
1955	2,636,164
1956	2,937,601
1957	4,389,710
1958	1,923,570
1959	1,759,736
1960	4,814,030
1961	5,831,546
1962	5,991,212
1963	4,553,311
1964	3,175,062

So I think this is a good and logical way to finance the needs of the University of New Hampshire. We further have, under a footnote, stated that if these sums are not available the difference between the unappropriated surplus and the \$1,250,000 which we authorized may be made available to the University of New Hampshire by the issuance of short term notes by the State Treasury. The reason that we did it was because of the 1 to 100 shot and the possibility that there would be unappropriated surpluses of less than \$1,250,000. The important thing to remember here is that the University of New Hampshire must make commitments in, oh about October or November which will be expenditures and will come out of the second year of the biennium. This is insurance only — insurance to the University of New Hampshire that they will receive the money they need to operate with.

“Now, let’s talk a little bit about State employees that have been placed on the payroll after the Legislature goes home. As you know, this budget is worked over three times by committees. It has a hearing in December at which the department heads make their recommendations to the Governor and he, in his wisdom, submits to the Legislature recommendations. Then the Appropriations Committee takes under advisement

the necessity for new employees in the State of New Hampshire and they may spend hours on trying to make a determination as to whether or not a certain employee should be hired for State service. What has been happening since 1959 is this. After the Legislature goes home, we may have turned down a position and the Governor and Council may activate that particular position and put the people on the payroll and they are paid out of a salary adjustment fund. This particular method was started in 1959. During the years 1959 and 1961, 22 new employees were put on the State payroll in this manner; during 1961 and 1963, 77 new employees were put on the payroll in this manner; during the years 1963 to 1965, there were 136 new employees put on the State payroll. We think that perhaps the Legislature should make a determination as to whether or not State employees should be hired. After all, the Legislature has the responsibility, through the line item budgets, to make a determination as to what departments shall have for spending funds. We have not, however, curbed the hand of the Governor and Council to such an extent that they cannot hire new employees if they find it necessary, because they may do so under this footnote in this manner. If there are matching Federal funds to be gained by the addition of new State employees, they may add them. Or, if there is an emergency situation, they may add them, but to add six new clerks for the State Library, for instance, probably could not be done under the footnote in the budget.

"Now, what areas did we cut the budget? I have given you all the good things about how much we put in the budget. We cut the executive budget by \$233,000. However, I might say this — I think that the Appropriations Committee of the House went overboard in its generosity in this particular office and I think that, in turn, there are some of us that feel that the Senate Finance Committee was a little tight in some respect to the Governor's budget. I would expect that some of these differences would be resolved in a Committee of Conference if they aren't resolved on the Floor of the Senate, because, for instance, let's take the Governor's salary. The House, in its wisdom, put in a figure of \$30,000. The Senate Finance Committee, in its wisdom, put in a figure of \$20,000. There has been in the past few years a relationship between the Chief Justice of the Supreme Court, the Chief Justice of the Superior Court — feeling that these branches are co-equal. Of course, we like

to think the Legislative branch is co-equal also but, unfortunately, we are frozen in by the Constitution and, therefore, can't raise our salary. But I would think, for instance, in a Committee of Conference that reasonable men might come out with a figure of \$25,000 which would keep the historical significance of the balance between the Chief Justice of the Supreme Court and Chief Justice of the Superior Court and the Governor's office. There was the creation of a contingency fund of \$85,000 — no strings attached. This was removed and, even though the Finance Committee felt that the Governor needed funds for unforeseen events, that there should be some emergency attached to the situation and, therefore, it increased the budget by \$25,000 a year on his emergency contingency fund over and above that of the House of Representatives. That is the same as was given to the Governor's office in his emergency fund last session. There is also a situation of other personal services which, in the wisdom of the Finance Committee, was cut by an amount of \$10,000 but it would again be my thinking that in a Committee of Conference salary increases that were granted to State employees certainly should be granted to those employees in the Governor's office.

"The trainee program was eliminated. This does not affect the present trainee program that is in effect at the present time but this \$11,000 for the first year of the biennium was for an alumni trainee program, the total cost for the biennium being \$33,000. So, it was felt that where the original trainee program would not be affected, we could eliminate the alumni trainee program. I have talked at length with Mr. Barlow in regard to this matter and will be very happy on Monday to answer any questions relative to this.

"Now, while I am on this point of salary, I would like to just give you some figures as to what the Governor has received since the period of 1955: 1955, the Governor received \$10,000; 1956, '57, '58 and '59, he received \$12,000; 1960, '61, '62, '63, that four year period, he received \$15,500 and presently is receiving since 1963, \$16,587. Why does that come out to that odd figure? The reason is this — the present Governor's predecessor said, 'I think the Governor should receive the same amount as other State employees receive.' And it came out to this odd figure. The Senate Finance Committee has granted to the executive office \$53,000 more than what was received during the last biennium, according to the Senate Finance Committee fig-

ures. And, therefore, you can see perhaps that of all the offices in the state, percentage-wise, the executive office was receiving, under the House version, many more times the increase than any other department in the State of New Hampshire.

"I would like, briefly, to cover the requests that have been granted to the office of Remick Loughton. This is to give this office staff enough to allow them to have two full teams of auditors so that post-audits might be made in all departments of the State. With the present staff of Remick Loughton, which is a legislative branch of government and responsible for post-audits, they have never been able to make in-depth or a comprehensive audit of the large departments within the State because they have never had the personnel or the funds to do it. The other important thing within that office is the fact that the Coordinator of Federal Funds would be placed here, then he could be available to both the legislative branch and to the executive branch of government because it is the legislative branch of government that must make the decisions as to where it will allocate State funds in order to take advantage of the Federal matching funds. We would expect, of course, that this person would become such an expert in the matter of Federal funds that he would be instrumental in seeing that New Hampshire received all the Federal funds that we could possibly acquire coming to the State of New Hampshire. And I doubt that if we had a Coordinator of Federal Funds, a situation would have developed such as developed in the Fish and Game Department on which we received a report on Monday last.

"Somebody has asked me to speak also briefly to the trooper situation and I gladly do that. Robert Rhodes, the Commissioner, came before us some time ago and, during the course of our questioning him, we asked certain questions relative to the disposition of his troopers. For instance, we found that there were in the communications room in State government ten uniformed troopers who were not being used for highway purposes but being used for, of course, purposes of communications. We felt that these troopers could be better put to use on the highways in the State of New Hampshire than being used in the office of communications. Therefore, you will find a footnote which says that communications shall have one uniformed officer to look after this particular branch. Now, why did we do this? We did it because it costs, after July 2, approximately \$7,000 a year to maintain a trooper, plus \$1,500 to maintain

that trooper's automobile. All of these troopers had automobiles with the exception of one. The question was also put, 'If you receive these additional troopers, what are you going to do with them, Commissioner, where will you put them?' And the Commissioner's answer was extremely vague, stating that the north country needed more State troopers. But there did not seem to be any well-thought out plan of where an additional 22 new troopers would be placed. We did give him 6 new troopers for the second year of the biennium. Also, through our questioning, we found that troopers were being used for purposes of promotion — New York World's Fair, for instance — instead of being on the highway and the Finance Committee just got the impression that a better use could be found for troopers than what there was at the present time. We also, I might state, gave them the additional personnel necessary to man the communications center and these employees receive something in the vicinity of \$3,900 to \$4,200 rather than the \$8,500 which is presently expended for the use of uniformed men.

"If there are no further questions, I think that takes care of the major broad aspects of the budget."

Chair: "The Chair understands that the Senator yields to questions at this time?"

Sen. Lamprey: "If there are areas they want to discuss."

Sen. Lamontagne: "There are some questions, but I thought we agreed to wait until Monday."

Chair: "That is correct. The question is on the request of the Senator from the 7th District to make HB 654 a special order of business for 11:04 a.m. on Monday."

Sen. Martel: "We have agreed not to ask any questions or prolong debate. Just for the information of my colleagues over the weekend when they peruse over this budget, and remembering that I asked a question of the Senator from the 4th District about the extra \$226,000 appropriated for the Legislative Budget Assistant's Office, I just wish to remind my colleagues that the House Appropriations did not act on HB 435 which specified in clear language that money would be used specifically for post-audits of the various departments. I feel that if you have a chance to think about it over the weekend, we definitely should have put some language in writing as a footnote to indicate that that money in the Legislative Budget

Assistant's Office be expended solely for that purpose. I noted also, of course, that we have dropped an office in the Comptroller's or rather an officer in the Comptroller's office — the Assistant Business Supervisor, who takes care of the problems relating to agriculture has been wiped out, together with an extra \$1,000 that is being wiped off the salary of the Comptroller. I just don't know why. I am just wondering whether — well there should be some adequate explanation. I have a good number of questions for the Senator from the 4th District to answer. Some of them, of course, where I disagree but will bring out on the floor next Monday. I thought I would make mention of these three items so that you would think about it over the weekend."

Sen. Waterhouse: "Mr. President, I would like to leave a few thoughts for my colleagues to ponder over the weekend. Next Tuesday afternoon, a half hour after adjournment, the Ways & Means Committee will hold a hearing on a bill to increase motor vehicle fees. As I understand it, this money does not go into the general fund. Last January or February, we had a meeting with truck owners and various other organizations that have approved this particular tax increase with the understanding it was going to create 22 new positions for State troopers plus an IBM data processing machine which, it is my understanding, has been stricken from the budget at this time. What I would like to have them consider is — if this money is raised, where is it going? If it isn't to be used for the purpose I had originally understood it was to be for, then why the need for it? I would like to have my colleagues ponder that question over the weekend."

Chair: "Are you ready for the question — the question being the motion for a Special Order on HB 654 for 11:04 a.m. on Monday."

Voted Affirmative.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 661, relative to the New Hampshire Congregational-Christian Conference. Report the same under Joint Rule No.

6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first four lines and inserting in place thereof the following:

1 Institutional Exemptions. Amend RSA 72 by inserting after section 23-C as inserted by 1957, 202:4 and amended by 1961, 233:2 the following new section: 72:23-d New Hampshire Congregational-Christian Conference. The real estate and personal property

The Senate voted to concur in adoption of amendment of Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 500, An Act relating to hospital survey and construction

SB 44, An Act relating to professional engineering.

Eda C. Martin
For the Committee

The report was accepted.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 71, appropriating funds for the state nursing scholarship program and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House, Mrs. Weeks of Greenland, O'Neil of Chesterfield; and Bruton of Manchester.

On motion of Senator Johnson, the Senate voted to accede to the request of the House for a Committee of Conference on the above entitled bill.

Pursuant to the above, the Chair appointed as members of such Committee on the part of the Senate, Senators Gardner and Bergeron.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 157, relating to the establishment of community mental health program and state aid thereof and requests a Committee of Conference; the speaker has appointed as members of said Committee of Conference on the part of the House: Hancock of Concord; Faulkner of Keene, and Hartigan of Rochester.

On motion of Senator Johnson, the Senate voted to accede to the request of the House for a Committee of Conference on the above entitled bill.

Pursuant to the above, the Chair appointed as members of such Committee of Conference on the part of the Senate, Senators Lamprey and Provost.

The Message also stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 340, relative to larceny or unauthorized use of a motor vehicle and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Spitzli of Walpole, Wildey of Westmoreland; and Broderick of Manchester.

On motion of Senator Lamontagne, the Senate voted to accede to the request of the House for a Committee of Conference on the above entitled bill.

Pursuant to the above, the Chair appointed as members of said Committee on the part of the Senate, Senators Rinden and Riley.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 460, providing for the classification of certain surface waters of the Suncook River watershed.

On motion of Senator Gove, the rules of the Senate were so far suspended as to allow the third reading and final passage of the following entitled bills at the present time.

**Third Reading & Final Passage of Bills
& Joint Resolutions**

SB 124, changing the date on which tax collectors' deeds become incontestable.

SJR 14, in favor of Leon R. Parent and Basil Connolly.

SJR 15, in favor of Richard C. Lassar.

HB 49, to increase the limit on outside borrowing by the State.

HB 407, relative to staff of New Hampshire National Guard.

HB 448, relating to the custody and escheat of unclaimed and abandoned property.

HB 580, to authorize corporations to guarantee the debts of others.

HB 584, authorizing the department of education to participate in the federal program under the Vocational Education Act of 1963.

HB 595, to provide for registration of and service of process upon foreign partnerships.

HB 692, designating February as "American History Month."

HJR 29, in favor of Seth J. Hayes.

HJR 34, in favor of estate of Agnes Helen Davis.

HJR 39, in favor of Anne Plummer of Londonderry.

House Message

The House of Representatives has voted to recede from its position of non-concurrence and to concur with the Senate in its amendments to the following entitled bill:

HB 157, relating to the establishment of community mental health programs and state aid therefor.

The Chair recognized Senator Rinden: "Mr. President, for the record, in connection with my request that the consideration of the budget be put over as a Special Order of Business until Tuesday, I wish to state for the record that I arranged my schedule at the time of the call of the court listing to have all my cases scheduled for Monday and Friday because they were not Legislative days and that is why this case was scheduled for Monday. The only reason that I am not able to attend the session on Monday is because the Senate has added on another day. I regret exceedingly that the Senate has not extended to me the courtesy to grant my request."

The Chair declared a 45 minute Recess, subject to the call of the Chair.

(Recess)

The Senate re-assembled.

House Message — First & Second Reading of Bill

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Senate: HB 791, relative to mob action.

The above entitled bill was read a first and second time.

On motion of Senator Martel, the rules of the Senate were so far suspended as to dispense with referral to Committee, and holding of public hearing on the above entitled bill.

The bill being on its second reading, was open for discussion.

The Clerk was requested to read the amendment to the bill that had been put on by the House:

Amend the bill by adding after the title the words: "Whereas there has been riotous assemblies within the state, and there is need for legislation to bring about public safety by effective policing of crowds and need to provide for unlawful or riotous assembly by a group, or the inciting of unlawful or riotous assembly;

Senator Johnson: "Mr. President, this bill, I think, is in the hands of each person here in the Senate. The Governor's Committee, which was established because of the riots at Hampton Beach, have been at work for a period of time. I understand,

although I have not been told directly, there is a need for action on this bill at this time because the bill might be of use because of certain activities over this week end. Because of this, there has been a request that the bill be put through both Houses of the General Court this day. This morning, there was a public hearing before a Joint hearing of the House and Senate Judiciary Committees and I was able to be there for a small portion of the hearing, although I did not hear all of the testimony. The purpose of this bill is to change Chapter 609 (which has been on our books since 1860) which is a section that is outmoded at the present time. The persons who are responsible for the acts, such as took place at Hampton Beach, the definition of this old law makes it very difficult to interpret. This change is to define what is 'mob action' and they have increased the penalty for people involved in a mob action. Very frankly, I think my position for the bill is influenced by those who appeared. I do not have the background or the knowledge of the bill that I would like to have, but because of the request of the Governor for this current need, I am ready to go along because people who have advocated this bill are people for whom I have the greatest respect; Judge Amos Blandin advocates its passage. Also, Attorney William O'Neil of the Attorney General's office and William Green, a member of the Committee. Section A-1, Mob action, defines only two or more to mean mob action. It was brought out at the hearing that this might be used for many types of action. However, I think the 'whereas' clause that has been added by the House to define persons in mob action is not meant to mean any two persons in perhaps just conversation. The feeling is that in order to stop a riot, you must be able to get to the individuals who are the instigators. They may be at some distance from the scene. Unless the arrest can be made at that point, you cannot nip the thing in the bud; otherwise, it is too late. Hence, the need for the bill. Looking at the old Chapter, that was in the old law, we have lived with that for over a hundred years. This is taken from Illinois and some states have laws similar to this. I believe that this is a good bill, in general, but I would very frankly wish that we might have more time to consider it; but because of the emergency which now exists, I believe that we have no alternative but to go along with the Governor on this bill."

Senator Hunter: "Mr. President, of course, this is a serious thing to me. This is nothing facetious. This is a very great prob-

lem to the State and I don't mean just at Hampton Beach alone. The request for this week end is not for Hampton Beach, but elsewhere. This points out that the problem is state-wide. To begin with, I believe the State needs this law on their books if they are to operate properly. It is a known fact that in the last session, I endeavored to get these very things through and people well remember, I lost seven bills in one day. You will remember that Senator Sam Green offered his services as a legal director to me, if you will remember. The need was tremendous. Then we had two riots and now we have had four riots. The State police were down there and they were the ones that got their shins banged and their teeth knocked out. We had to get the Massachusetts and Maine state police. Now, our own state police and our National Guard are taking riot training. The special committee have made a study of this and it is a great feeling to me that all these people are all in favor of this sort of a law. The Judiciary Committee tell me that with the laws we had during the last riot were no good because the state could not convict any of these people. Sixty were fined, all appealed, and only one went to jail. All of those arrested — because of the state law. I just want to point this out that our present state laws are not adequate and we must have laws with enforcement and conviction spelled out in order to correct this situation."

Senator Martel: "Mr. President, I rise to speak in favor of the motion now pending. It seems to me that it is high time to put teeth in laws in our statutes that will do away or prevent any recurrence of what has happened in the past and it is well for us also to think of the old adage: One ounce of prevention is worth a pound of cure. The activity which will take place over the week end, it is well to take this action. It is well to tell all who come into New Hampshire that we will not countenance any of this type of thing. It is high time that the authorities make known to any who come to our fair State of New Hampshire that we will not countenance any more of this type of thing. Obviously, the law enforcement agencies over the years, I have found them to be competent, efficient and courteous and I have no doubt in my mind that they will not abuse the authority that will be given them on passage of this bill. For these reasons, I strongly urge my colleagues to support this motion."

Senator Rinden inquired from Senator Johnson.

Senator Johnson: "Under section 45, established by the Governor, and shared by Judge Blandin, the purpose of it was that for the prosecutors at the Hampton Beach riots, there was no maximum sentence for persons who were not a part of the riot, but who were near the riot."

Senator Rinden: "The fine that is set forth in Section 40 is \$100 and they have increased it to \$500. I can understand the increase of the fine. But this part of fortune tellers, etc., they are a nuisance, but not a serious effect."

Senator Johnson: "I think the reason is that sections of this chapter, which would give authority to a judge sitting on a case — the idea is more for the satisfaction of the court: those near the riot, but not a part of the riot itself. It was felt that this would be a good thing."

Senator Lamontagne: "Mr. President, I rise in support of this bill. I compliment the judge from Hampton for all his work during the riot. I think the judges of this state need tools for the enforcement officers to go ahead and stop mob action. There are some plans for Hampton Beach this year and I know it for a fact about the plans of the students to come back — they are already planning to come back. I have heard the House when they were debating this bill at the present time and it was said on the House floor that a special committee was appointed to draft this bill. It is a non-partisan bill and certainly I feel that we should go along with it. Then, if there are some parts that do not work out very well, specially for this week end, we can still amend this bill."

Senator Blaisdell: "We need this bill. But what about if I were standing on the sidewalk, and an officer asked my help, and I had a weak heart and I say that I cannot help. Would I be subject to this law?"

Senator Johnson replied: "I would say no."

Senator Tufts inquired: "In section 40, is there a stronger word than disorderly person?"

Senator Johnson replied: "That is a catch-all section."

Senator Buchanan: "I think this is good legislation. I have two simple questions. To define 'participants' and to define what is an innocent bystander?"

Senator Johnson: "The participants in the riot shall be defined by the court. This language covers this situation. The court makes the decision. The innocent bystander — the definition of that is under 84. The law enforcement officer can say 'get out of the way or you will be a part of this riot.' "

Senator Riley spoke in support: "I wish to speak in support of this bill. I did have a few misgivings, but I believe they have been taken care of by this discussion. I think it is imperative that we pass this legislation."

On a *viva voce* vote, the bill was ordered to a third reading.

On motion of Senator Johnson, the rules were so far suspended as to permit the above entitled bill being read a third time and passed at the present time.

Third Reading & Final Passage of Bill

HB 791, relative to mob action.

On motion of Senator Blaisdell, the Senate voted that the acting President be authorized to sign the above entitled bill before receiving the Report of the Committee on Engrossed Bills.

House Message — First & Second Reading of Bills & Joint Resolution

HB 257, to regulate the filing of plans for land subdivisions. Referred to Executive Depts., Municipal & County Governments.

HJR 46, to establish an interim study on uniform vehicle laws. Referred to Public Works & Transportation.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 90, raising the maximum amount of group life insurance allowed to be written for two or more employers in the same industry or two or more labor unions.

Amend the bill by striking out section 1 and inserting in its place the following:

1 Maximum Amount Increased. Amend subparagraph (d) of paragraph (4) of RSA 408:15 by inserting at the end thereof the following, or one hundred fifty per cent of annual compensation, whichever is greater, but in no case more than sixty thousand dollars, so that the subparagraph is amended to read: (d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder, employers, or unions. No policy may be issued which provides insurance on any person which together with any other insurance under any group life insurance policy or policies issued to the employers or any of them, or to the trustees of a fund established in whole or in part by the employers or any of them, exceeds twenty thousand dollars, or one hundred fifty percent of annual compensation, whichever is greater, but in no case more than sixty thousand dollars.

Further amend the bill by inserting after section 1 a new section to read as follows:

2 Solicitation. Amend paragraph 4 of RSA 408:15 by inserting after subparagraph (d) a new subparagraph to read as follows: (e) Solicitation of coverage in this state under a group life insurance policy issued in another jurisdiction may not be made unless the type of group to be covered conforms substantially to one of the types of groups provided for in chapters 408 and 408-A.

Further amend the bill by renumbering section 2 to read section 3.

* * *

On motion of Senator Buchanan, the reading of the amendment was dispensed with. The Senate voted to non-concur and request the appointment of a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Buchanan and Lamontagne.

On motion of Senator Buchanan, the Senate voted to go into the afternoon session.

Afternoon Session

The Chair declared a three minute Recess.

(Recess)

The Senate re-assembled.

The Chair: "In order to be absolute sure of the legality in connection with HB 791, the bill relative to mob action, it is necessary, if possible, that we keep a quorum for thirty minutes. At the present time, while I am authorized to sign the report of the Engrossed Bills Committee, it would be better if we could be here in about half an hour to accept the report."

The Chair declared a Recess of thirty minutes.

(Recess)

The Senate re-assembled.

Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 791, An Act relative to mob action.

Eda C. Martin
For the Committee

The report was accepted.

On motion of Senator Buchanan, the Senate adjourned at 5:15 p.m. to meet next Monday morning at 11 o'clock.

MONDAY, June 21, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Lamontagne and the entire Senate, Mr. Stephen Smith from the office of Unemployment Security, accompanied by Mrs. Henry Jordan of Roanoke Rapids, North Carolina, and Mrs. William Cooke also of Roanoke Rapids.

As the guest of Senator Tufts, Mr. Thomas Murphy of Iowa, a graduate student from Phillips Exeter Academy, and presently a student at Harvard.

As the guest of Senator English, Lt. Marie Cournoyer, daughter of Representative Cournoyer of Jaffrey, stationed at El Paso, Texas. Also, Mr. N. Simoneau, formerly of Jaffrey, now of Winchendon, Mass.

Introduction, First & Second Reading of Senate Bills

SB 130, relative to filing dates in primaries. (Johnson) Referred to Judiciary.

SB 131, to legalize the proceedings of the annual meeting of the Hooksett School District. (Riley) Referred to Education.

On motion of Senator English, the rules were so far suspended as to dispense with the printing, referral to Committee, holding of public hearing, and the bill taken up at the present time.

The Clerk read the bill.

An Act to legalize the proceedings of the annual meeting of the Hooksett School District

Be it enacted by the Senate and House of Representatives in General Court convened:

Section 1. The vote and proceedings of the annual meeting of the Hooksett School District held on March 6, 1965 authorizing the issue of \$231,000 School Bonds are hereby validated, legalized, ratified and confirmed in all respects.

Section 2. This act shall take effect upon its passage.

Senator English: "Mr. President, this is one of the familiar legalizing bills. There was a defect in the listing of one of the articles. It was overwhelmingly endorsed and there was no known opposition."

Senator Riley: "Mr. President, the vote at the meeting was 111 to 4. There was no controversy. This is to expand one of the school facilities."

The bill was ordered to a third reading.

On motion of Senator English, the rules were further suspended and the bill was ordered to a third reading and final passage at the present time.

Third Reading & Final Passage of Bill

SB 131, to legalize the proceedings of the annual meeting of the Hooksett School District.

On motion of Senator Howard, the rules were so far suspended as to permit the taking up of the Special Order of Business scheduled for 11:03 o'clock at the present time.

Special Order of Business for 11:03

HB 653, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1966. Ought to pass with amendment.

The bill being on its second reading was open to amendment.

Senator English presiding.

Senator Martel offered the following amendment:
Amend the appropriation for executive branch by striking out same and inserting in place thereof the following:

##The funds in this appropriation shall not lapse but shall be available for expenditure in the following year.

For executive branch:

Office of governor:

Salary of governor	\$30,000
--------------------	----------

Other personal services:	
--------------------------	--

Other+	54,750
--------	--------

Total	\$84,750
-------	----------

Current expenses	8,000
------------------	-------

Travel:

In state	500
----------	-----

Out of state	2,000
--------------	-------

Equipment	1,000
-----------	-------

Other Expenditures:

Contingent fund	20,000
-----------------	--------

Special citations to state employees	300
--------------------------------------	-----

Governor's special fund*	10,000
--------------------------	--------

Council of state governments	3,600
------------------------------	-------

New England governors' council	8,000
--------------------------------	-------

Trainee program	11,000
-----------------	--------

Total	\$149,150
-------	-----------

+Salaries paid out of this appropriation shall be at levels set by the governor.

*The funds appropriated under this item are to be spent by the governor in his own and sole discretion for state purposes, including but not limited to participation in the activities of the United States Governors Conference, the New Eng-

land of Governors, and the council of state governments, for which monies are not otherwise appropriated.

Office of economic opportunity:

Personal services:

Temporary	\$46,380
Consultants	2,105

Total	\$48,485
Current expenses	6,770

Travel:

In state	2,875
Equipment	2,641

	\$60,711
Less current authorization	11,800

Total	\$48,971
Less federal grant	43,745

Net appropriation	5,226*
-------------------	--------

*State matching appropriations available for expenditure only if funds are available from a federal grant. If the federal grant is reduced, expenditure of state matching appropriation shall be reduced proportionately.

Office of coordinator of federal funds: #

Salary of coordinator**	\$12,500
-------------------------	----------

Personal services:

Permanent	3,717
-----------	-------

Total	\$16,217
Current expenses	400

Travel:

In state	100
Equipment	425

Total	17,142
-------	--------

Total for office of governor	\$171,518
------------------------------	-----------

#The office of coordinator of federal funds is attached to the executive office for the biennium ending June 30, 1967, with recommendation that it be established as a separate agency by the 1967 legislature.

**The salary range for coordinator is established at \$12,500 to \$15,000. The salary may be increased by governor and council to any step within the range, if additional funds are required for this position they shall be a charge upon the salary adjustment fund.

Operating budget contingent fund++	85,000
------------------------------------	--------

++Transfers from this fund are subject to prior approval by the governor and council and may be made to all state agency appropriations, excluding only the governor and council. The director of accounts shall keep a record of transfers approved for other than general fund agencies, and shall report such special fund transfers to the legislature for appropriate adjustment between funds.

Emergency fund	50,000
----------------	--------

Executive council:

Personal services:

Other per diem	\$19,750
----------------	----------

Secretary to executive council	3,250
--------------------------------	-------

Total	\$23,000
-------	----------

Current expenses	2,000
------------------	-------

Travel:

In state	4,500
----------	-------

Out of state	500
--------------	-----

Total for executive council	30,000
-----------------------------	--------

Total for executive branch	\$336,518
----------------------------	-----------

On motion of Senator Martel, reading of the amendment was dispensed with.

Senator Martel spoke in favor of the amendment: "Mr. President, the amendment is identically the same which has been taken out of the regular House Bill 653 and adopted by the House Appropriation Committee. We felt it would be easier in this way for the Senate to understand it. It puts back the cut—the different cuts made by the Senate Finance Committee starting out with the Governor's salary from \$30,000 to \$20,000. On this score, fellow Senators and Mr. President, I appreciated very much the action by the House Appropriation Committee and I thought they did an excellent job so far as appropriating this sum for the Governor. I have heard many remarks stating

the Governor should not have more than the Chief Justice of our Supreme Court and, of course, we were told by the Senator from the 4th District last week that figure was put in for the purpose of bargaining when the Committee of Conference gets together. However, I rather like to approach the matter from a viewpoint of principle, namely that the Chief Executive, whoever he may be, of one party or another, the man who directs the destinies of an operation whether it be government, corporation or otherwise, should be the highest paid official. He should not have a wage rate or a salary competitive with any of his subordinates. He should be paid higher than any of them. We have had a similar situation in Manchester a few years ago wherein the Mayor received \$6,000 and some 20-odd officials getting more than the first magistrate of the City. It is not correct, Mr. President, that any subordinate receive more money than the person or the man responsible to conduct all the business of that operation, as I stated, whether it be government, private enterprise, or otherwise. I just don't know—I am wondering at times if it were not because of the relationship between the leadership of the Senate I am wondering now if it may not be spite action on the part of the Senate Finance Committee because of the relationship between a certain individual of this body and the Chief Executive. I am sure there might be some areas within the budget where some differences of opinion may have arisen, but I thought it was too clear in my estimation that there seems to be spite here. I would feel that the members of the Finance Committee should reconsider their action whereby they pegged the salary at \$20,000 instead of \$30,000. I don't think it is good policy to go into this—to discuss anything solely on the premise that we will get along in the Committee of Conference. We should act solely upon the premise that if we feel something is good, we should stand by it; or if we do not believe it is correct, then we should stand up and say why did we peg the salary at \$20,000? Furthermore, the salaries of the staff in the Governor's office—I have no idea, no reason, Mr. President, that should have been cut. Here earlier in this session, we went along with an increase for all State employees. Why should we deny the same increase to the Governor's staff? Also, there was the contingency fund which was reduced from \$20,000 to \$15,000. The sum of \$85,000 for the operating budget contingency fund was also deleted—all in the Executive branch. Yet when I take a look at the Legislative Budget Assistant's office, I can only say he is well taken care of, Mr. President,

no trouble there at all. It seems as if the Committee has gone out of its way to cut here and cut there within the Executive branch. Another thing that somewhat displeased me was the fact that the Office of Coordinator of Federal Funds has been transferred from the Executive branch into the Legislative Budget Assistant's office, apparently to give more authority to this official. I feel, Mr. President, it properly belongs in the Executive branch. Who better than any individual connected with that department can handle and coordinate all the funds that emanate out of Washington? At this stage, without wanting to go more into details, I say this—the amendment as offered is the one adopted by the House Appropriation Committee, not because it is the House, but because I feel they have done a good job. I have spoken with the Chairman of the Committee and he told me this—‘We have been guided solely by good government operations; we do not and we did not allow politics to come into the picture.’ We should not, Mr. President, here in the Senate chamber do other than what the House has done. It would leave a better feeling, I am sure, if the Senators from the 4th and 5th Districts would go along with the amendment as offered by me for HB 653 regarding the Executive branch. I feel there has been a mistake made here. I know we all make mistakes and I will use one word I used with my colleagues from the 4th and 5th Districts somewhat earlier during the session—let's be magnanimous. Let's forget these differences that have arisen between the leadership in the Legislature and the Chief Executive. Thank you.

Senator Bergeron: First of all, I would like to clarify my colleague on one point. He thinks this action is picayune and it came from the leadership in the Senate. I want to assure him this is not so. The Finance Committee acted in good faith and I perhaps was one of the most strenuous opponents of this \$30,000 pay scale. I have served in the Senate for 4 terms. I can remember giving the Governor an increase of \$1,000 or \$1,500 at different times. I thought when the Senate Finance Committee gave our present Executive a \$4,000 increase they were being more than fair. The reason for my action is that I can think of the people back home who got a 3c an hour increase and have to double the Governor's and Executive's. I don't think this is fair.

Senator Lamprey: Mr. President, I rise in opposition to the present amendment before the Senate. I first would speak to the first two items on the proposed amendment—one is the salary of the Governor. I think that I elaborated to some degree, and

it is now part of the record, relative to this office. I think it would be my intention, Mr. President, if this amendment is defeated to offer a substitute amendment which would increase the salary of the Governor to \$25,000, and this historically has been the amount of money which has been paid to the co-equal branches of government—Judicial and the Executive. I would also like to point out these raises to the Judicial came by the order of the Executive branch of government. However, they have not been cut back. And it would be my intention to offer an amendment at \$25,000 and I would hope the Senate would then instruct the conferees not to go above this amount. Also, I would include the second item on the amendment which is other personal services by \$9,750 which would take care of the employees in the office of the Governor—for his personal secretaries and other people employed there. Now I sat and listened to why we should adopt this amendment because it was offered by the House. Let me say there are 47 pages of differences. It was a supplement which you now have before you, as offered by the Committee on Finance, that I sat and listened to and for the reason why the contingency fund is \$85,000—this could be justified and I heard no arguments relative to this. Perhaps they will come later. I think that if moneys are to be expended which have not been approved by the General Court, then they should have some emergency attached to them and not be used as a slush fund. I would also like to point out to you that if you approve this present amendment as offered, you will have some items as duplicates in the budget and yet I have not heard of an amendment which will delete these items from the other offices. It was brought up that the Office of Coordinator of Federal Funds should be in that of the Executive office. No, we take a different viewpoint on this. I think it should be in the Legislative branch of government because here is, basically, where the responsibility for the allocation of funds rests and, therefore, these services should be available for legislative purposes first. Of course, they will be used by the Executive office. But he also, you must remember, has several people on his staff at the present time who could be used to bring additional Federal money into the State. But I would hope that the Coordinator for Federal Funds would be a person who would see that New Hampshire received every single dollar it could possibly derive from the Federal Government procured through that office. I hope that this present amendment will be defeated. If it is, we will offer a substitute amendment to increase the Governor's salary and the other personal services.

Senator Buchanan: If your suggested amendment is adopted, will the Governor then be the highest paid employee in the State?

Senator Lamprey: The same as the Chief Justice of the Supreme Court and the Chief Justice of the Superior Court.

Senator Foley: I have a few items here. In the first place, the Governor's office at one time was perhaps a part-time job. I believe it was Governor Blood who used to be in his office and then leave for an office call to take care of his duties as a doctor. It wasn't until Sherman Adams came in when the Governor's office became a full time job. Any of you who are here can go into the Governor's office and know he puts in a full day and night. This is a hard job. A lot of people might want it; a lot of people would not take it for all the money in the world. He is the top man and I don't think he should compete with anybody no matter what their job is; he is the head of everybody. So far as the people in the office—I believe the raise that was offered to them was not as much as the one people got from SB 1. I don't know why it was left out; certainly we need parties that work. They should get the raise but why it should be left out is more than I can see. I am disturbed because in the Executive branch the trainee program was left out. The intern program was left in. This intern program has students who work in this office. I believe from all of these interns, two are picked to be trainees. These are in the Executive department. If we expect to keep young men and women around, I don't know why it was left out of the program. Maybe it was because it was in the Executive department. Anything in the Executive department should be cut or taken out. That is the way it looks. So far as the contingency fund, I think the Governor needs a contingency fund. Last year he took money out of his own pocket. Why should you say we left it as emergency—all emergency money has to come from the Attorney General's office. Was this a good way to keep a finger on the Governor? Should, by some miracle, the Republicans get the Governorship, they will spend the whole session repealing everything that was done this time to hurt the Governor that is in right now. I am disturbed also because they cut down on the State troopers. I don't know why. We certainly need State troopers. I think Mr. Rhodes knows what he has to do. I think he is a good man. I think he put in what he thought was a reasonable request and some of these State troopers might be ill; they might be on part time; they might

be disabled; they might be put out to pasture for a while, but they will be taken out of these jobs and secretaries put in for them. This might be a good idea on the face of it but I think on the whole you will hurt the morale of the Department and I think that morale is important. I cannot understand why \$1,000 was taken from the Comptroller. I am not speaking personally for him. I am speaking for the office of Comptroller. I think it is an important job. I don't care who the Comptroller is. I hardly know him.

The Chair: Would you prefer to speak on some other matters relating to the amendment?

Senator Foley: I thought this was the amendment.

The Chair: I think this is not involved in that.

Senator Johnson: There has been a statement made that the Governor should not receive a salary lower than any person subordinate to him. I would remind the Senator from the 17th District that the Chief Justice of the Supreme Court is not subordinate to the Governor. He is the head of a co-equal branch of this Government. The only persons who are paid at a salary that is shockingly lower is, of course, the legislative branch. Let's turn to the question of the salary for the Governor. A statement was made that Sherman Adams was the first Governor to spend full time at the job. This is 1950-51. At that time, the Governor received \$6,000. The Chief Justice received \$9,554. At that time, there was a disparity of over \$3,500 in the salary of the Governor. Since that time, there has been a nearly uniformly even pay between the Governor and the Chief Justice. I say that these figures I have for the salaries of the Chief Justice; I took one-fifth of the appropriation for the Supreme Court. I believe it comes out with odd cents. Essentially, they are equal and I believe if I were to go to the actual law, I would find the Chief Justice was getting more than the other officers in the Court. We have a history from 1952 up to date in which the Governor as the Chief Executive of the Executive branch of the government is paid a salary equal with the person in charge of the Judicial branch of the government. This is an historical precedent that was set when governors were of a different party than we have today. I find it very hard to see their thinking that there is any partisanship in the concept of following a tradition that has been employed since our Governor made this a full time job. I feel very strongly the Governor should get paid \$25,-

000 and we ought to follow this precedent. I am happy there will be an amendment offered which will put this salary at \$25,000. I think it is proper. I think it is a non-partisan effort. It has historical precedent and it has good common sense besides. I might say we could have candidates for Governor if the salary was \$5,000. We all know this is true. There would be candidates galore at \$5,000. This is not the point. The point is we have three equal branches of Government and pay a top man in one branch \$25,000. We have, for a period now of 12 years, paid the other branch equal with him and we ought to continue that regardless of party. I would go back to my statement. John King as a Governor of this State is not the leader of the entire State. He is the leader of the Executive branch. Judge Kenison is the leader of the Judicial branch of our government. They ought to be paid equally. I think there is one other statement I would make. There has been talk about this being spite action. I do not believe this is true. I think that, insofar as the Governor's salary, I have explained how this has been developed on that basis of historical precedent. The fact of the matter is we have increased the Governor's budget over the last biennium by \$58,000. I believe that the percentage increase in this is greater than any other department, so far as I know. It is possible there are more funds in another department, but certainly this has been a sizeable increase in the budget of the Governor. I think then, that with these two amendments which we have agreed upon, we will have a fair budget for this branch of the government. It has been done without any thought of a partisanship and I hope my colleagues will go along with this.

Senator Waterhouse: Can you tell me what the salary is for the Director of the Sweepstakes Commission?

Senator Johnson: I think I can. This salary was set the last year by the Governor and Council. In the bill that set up the Sweepstakes, there was a single appropriation of \$250,000 and they were given the authority to hire such assistants as they deemed appropriate. They hired Mr. Powers at \$20,000 with the concurrence of the Governor and Council. At this point he was getting paid more than either the Governor or the Chief Justice. Some of us felt perhaps the Chief Justice might be somewhat upset. But at the present time, I believe his salary will be \$20,700.

Senator Foley: Of this \$58,000, how much is located in this emergency fund?

Senator Johnson: \$50,000 of that has been increased. The emergency fund has been increased by \$50,000 over last year. Actually, if you look at this document, you will find two funds and it is almost impossible for me to describe the difference between a contingency fund and an emergency fund. You have mentioned the fact the Governor may have used personal funds. I do not know about this. I would not think he would have used \$170,000 of pocket money for last year for the operation of his department. The emergency fund is there. If it is a matter which has not been foreseen, the Governor has the power to use that. There is also a fund here you will see on page 3 of the Supplement which is the Governor's special fund. This is \$10,000 per year which the Governor has at his disposal. The fund is a fund, as I understand the situation, which he may spend without any accounting whatsoever to any person. As I understand it, in the past—I don't know what John King has been doing as Governor, but in the past, a Governor has withdrawn this sum on a quarterly basis and spent it for the entertainment and other costs of office. I think if anybody thinks he is getting \$25,000 and then must entertain and do other things out of that budget, that is incorrect. There is a \$10,000 item per year for that very cost.

Senator Foley: It sounds like more money, but \$50,000 is located in the emergency fund. It looks like you have given the Governor's office more money but in reality you have taken some money and held it and said it was for emergencies and you have to go through the Attorney General's office to get it. It looks good on paper until you think about it.

Senator Johnson: I think what we feel is that having set the budget for the Executive branch and having given him \$10,000 to do with as he will that spending over and above that ought to be associated with some type of emergency. This makes sense. You should not have an \$85,000 fund to spend as you will.

Senator Blaisdell: It is very hard for me as a Freshman member of the Senate to go through these books and come out with a logical answer. I have a few questions I would like to direct to the Senator from the 5th District. You said you thought the Governor was worth \$25,000?

Senator Johnson: Yes.

Senator Blaisdell: Why do we pussyfoot and say it is worth \$20,000? Why \$20,000 instead of \$25,000?

Senator Johnson: It was a decision made by the Senate Finance Committee to put it at \$20,000. I understand this Committee today will offer the amendment of \$25,000. I personally favor this very strongly.

Senator Blaisdell: I wouldn't be where he was for \$30,000. I think he is worth \$30,000 and any Governor is worth \$30,000. On the people who work in the office of the Governor — you have agreed that possibly we might raise their salaries?

Senator Johnson: The Senate Finance Committee, I think, will offer the amendment to restore that and we go along with it.

Senator Lamontagne: I can't see who we are debating the Chief Justice and trying to compare it with the Governor's increase in salary when there is no comparison at all. After all, the Chief Justice doesn't have to worry at the end of four years about reelection and, at the same time, he doesn't have to spend money out of his own pocket for campaigns and different things. I am speaking about the Chief Justice. Therefore, what are we trying to compare when there is no comparison? Personally, I will support the amendment that the Senator from the 17th District has just proposed before this Senate.

Senator Gardner: I want to point out the Governor, I think during his administration has a car furnished for him — a Cadillac — and a chauffeur and I do not believe the Chief Justice has that.

Senator Riley: The Senator from the 5th District says that the precedent has been set in the past of setting the Governor's salary at the same level as the Chief Justice of the Supreme Court and the Superior Court but I feel if we do everything that has been done in the past, there would be no need of us as a legislative body. This is what we are here for — to correct inequities and to make things better, we hope. I would like to again reiterate what my colleague has said. The responsibilities of Governor are far greater than those of the Chief Justice and he does have to campaign and worry about getting elected if he wants to become Governor again. I feel there is no comparison between the work load of the Governor — he has to attend many official functions, many evening meetings. This is what we want him to do. We want him to get around the State and be seen by many people. If a Chief

Justice of a court gets tired, he can declare a recess. I have never heard the Governor declare a recess from State government. I think he works very much harder than any Chief Justice of the Court, although I know there is a tremendous load on their shoulders. I think the health hazards of being Governor are much greater than a Chief Justice. I am sure there are many more ulcers from the Governor's office than from the bench. A judge — once he has the job, it is for life. He does not have anything to worry about except administering the law properly. The Governor has many worries and I feel he is worth \$30,000. I would like to support the amendment.

Senator Lamontagne moved the previous question; seconded by Senator Tufts.

On a *viva voce* vote, the affirmative prevailed.

Question being on the adoption of the amendment offered by Senator Martel.

On this question, Senator Blaisdell requested a Division vote.

Senator Foley demanded a Roll Call.

The following named Senators voted in the affirmative: Lamontagne, Saggiotes, Blaisdell, Buchanan, Riley, Green, Martel, Provost, Waterhouse, and Foley.

The following named Senators voted in the negative: Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Gove, Bergeron, O'Gara, Tufts and Hunter.

Ten Senators having voted in the affirmative, and eleven Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

Senator Blaisdell: "I would like to make a statement. I am sorry Senator Rinden is not here since he was in favor of \$30,000."

Senator Martel offered the following amendment:

Amend the appropriation For administration and control: Division of budget and control, by striking out the same and inserting in place thereof the following:

For administration and control:

Division of budget and control:

Salary of comptroller	\$17,620	
Salary of business supervisor	13,560	
Salary of assistant business supervisor	12,120	
Salary of assistant business supervisor— (Agriculture)	10,260	
Other personal services:		
Permanent	7,229	
Other	2,600	
Total	\$63,389	
Current expenses	2,984	
Travel:		
In state	750	
Out of state	510	
Equipment	325	
Other expenditures:		
Atlantic marine fisheries	700	+
Firemen's relief	4,000	+
League of N. H. arts and crafts	12,000	+
New England board of higher education:		
Expenses	5,550	
Grants	50,000	++
Complete the installation of accousti- cal tile and related work in state house annex	15,000	
Reset and point steps and walls— state house and annex	30,000	
Oasi contributions:		
State employees	490,000	
Teachers	470,000	
Total		1,145,208

On motion of Senator Martel, reading of the amendment was dispensed with.

Senator Martel spoke in favor of the amendment: "This is an amendment put on page 7 of HB 653 for Administration

and Control. You will note that the salary of the Comptroller has been cut down from \$17,620 to \$16,620 and also that the salary of the Assistant Business Supervisor (agriculture) has been cut out entirely. Rather than make any statements at this time, I am wondering if the Senator from the 4th District would yield to a question."

Senator Lamprey: "I would rather yield after I have spoken."

Senator Martel: "Frankly, I cannot understand why the position of Comptroller has been down-graded. I cannot give any possible answer. I note also that the official who has charge of his office, the Assistant Business Supervisor, is cut out entirely. This is a State official who has been working for the State of New Hampshire for the past 15 years, having come into this department from the Laconia State School. The amendment would simply restore the salary of the Comptroller as it was before and retain the office of Assistant Business Supervisor. That is the reason why I wanted to question the Senator from the 4th District as I cannot give any plausible answer why the Senate Finance Committee acted in this way. I would respectfully urge my colleagues to support this amendment. It is not asking much. Here is a man incidentally who, to make use of this phraseology, had been, in my estimation insofar as his services are concerned, available both to the Executive branch and the Legislative branch. He is not supposed to be concerned with partisan politics. He renders services to every group concerned. I certainly would appreciate it if my colleagues would think of it in this fashion and approve the amendment which I have just submitted to put back the salary where it was originally or at least where it has been approved by the House Appropriation Committee and also maintain the position of a man who has rendered considerable service to the State of New Hampshire."

Senator Lamprey: "Mr. President, I would submit for consideration of the Senate the fact that — to speak first to the salary of the Comptroller. Last session of the Legislature, they, in their wisdom, gave the Executive the right to increase unclassified salaries and, I think, also gave him the right to decrease unclassified salaries. I would submit that the raise given to the Comptroller was considerably more than those given other in-State service employees, excluding, of course, the Ju-

dicial branch. He was receiving prior to that granted by the Governor, \$13,064.22 as a maximum and he was raised to \$17,500 which is approximately \$4,700. It was the feeling of the Finance Committee that he, as a division head, should be in line with other division heads which average a salary of about \$16,500. So that, actually, it would appear to us, and from the testimony that was presented before the Senate Finance Committee also, that there was some question as to whether or not the Comptroller was doing all he could in order to straighten out the financial situation that the division heads had been talking about in the area of DRED and Health and Welfare. We questioned the Comptroller at length and the testimony, of course, is available to each and every one of you here as to why the situation had not been straightened out at DRED, for instance, and this was the department we went into in great detail. We asked him if he had the power to straighten out the situation and he said he did. 'What did you do?' The answer would come back, 'We sent them the Manual of Procedure.' 'What did you do from there?' 'We do not have to do anything from there.' But when the Governor's office directed him to clear up the situation relative to the \$9 million bond issue that was outstanding, the Comptroller then found he had the authority to make proper accounting adjustments and that fund, we all agree, is in good shape at the present time. So that there was some question in the Finance Committee due to the fact, we think, the Governor went overboard when he gave this particular increase. There are other increases in the budget over and above the Governor's recommendation put in both by the Senate Finance Committee and the House Appropriation Committee. I can think of one in each instance. So that there were two increases to my knowledge and one decrease. Now as to the salary of the Assistant Business Supervisor, of which there are two, I think practically everybody here realizes that Mr. Brickett had been transferred to the Liquor Commission and has been there for almost a year. It is true that somebody has come in to take his place. I would like to know where the vacant slot is. We are not particularly anxious to cut off the salary of the Assistant Business Supervisory. Some place in State government, there is a vacancy and, if you would be good enough to point out to us where that vacancy exists, I think we would go along with putting back a second Assistant Business Supervisor. If you know where that vacancy exists, we would be very happy to go along with you."

Senator Foley: "I would like to talk but I will answer the question first. I think I can. I believe another man was put in his place; somebody else was put in his; somebody else in his place and the bottom man — he is temporary until this is straightened out."

Senator Lamprey: "We have four changes?"

Senator Foley: "I don't know how many. But somewhere along the way, it stops. From what Senator Lamprey has said, the reason that perhaps this job has been down-graded is because they don't feel the man in there right now is doing his job. I didn't think this was the question. I thought this was what the Comptroller of the State should get. I think this is an important job, bigger than some of the other directors. Anybody who is a financial whiz, as the Comptroller, deserves more than people who do not have to deal with figures. I think there is an historical precedent that once you give a increase you do not take it away from him the next year. This is not right. I think it is a hysterical precedent we are setting now to take the Comptroller of the State, because we don't think somewhere along the line, 'our Senators don't think' he has done the job, to personally take it away from him as a personal punishment. I think this is wrong. I think we should go along with this amendment, give Mr. Fowler his job and give Mr. Hill the raise he deserves."

Senator Martel: "I have been given to understand that the Comptroller's office has never operated with the Brickett position vacant. I am told if a check had been made, they would have found the Brickett position is filled by a financial agent on a temporary basis and that position is filled by a temporary employee. Because of that, it is possible that the Committee acted the way it did. I feel it is very difficult for us to go along to delete this position. On the remarks on the Comptroller, I feel it is very difficult for us to along to delete this position. I cannot see why the Comptroller should not be entitled to the same salary as the other department heads as the Senator from the 4th district has outlined. Perusing over the budget, I see many of them — Welfare got \$17,500; Legislative Budget Assistant — \$17,500, on the first page of the budget. Why should not the Comptroller get as much? I think he should be getting as much money. The position of Comptroller is just as important as the Legislative Budget Assistant. I have found it so when we sat in the Executive Chambers and had occasion to ask these two gentlemen if

there weren't ways to compare our analysis of the figures with which we are now concerned today. I believe both of them have had to reappraise or make reappraisal on the figures they had submitted to us. The Senator from the 4th District may be aware of it. They were some \$2.5 million apart at one time and I was told a few days ago the figure has narrowed to \$600,000. In my opinion, both men are equally important in their functions and it would seem to me we should recognize this fact and adopt the amendment now before us."

Senator Lamprey: "How far down — does that include the whole page?"

Senator Martel: "Just those two items on page 7 of the budget."

Senator Lamprey: "Did you increase the League of New Hampshire Arts and Crafts?"

Senator Martel: "No, I did not. I am sorry, I did. I put it back to \$12,000 where the Committee put it at \$10,000."

Senator Lamprey: "Would you speak to that?"

Senator Martel: "I am not too familiar with that particular item of the department. I was concerned, however, with the same department, purchase and property, where there is \$10,000 appropriated related to rent and purchase of automatic processing systems because I am told ending June 30, 1966, if I am not mistaken, we are to make a reappraisal of the data processing system — the automatic processing system I mean to say. I was wondering if this is done and I believe there has been authorized a study of this and I am fearful that if we go along with that it may represent a great cost to the State of New Hampshire. Should we change our processing system, it would involve changing all the letterheads on papers that the departments have been concerned with over the past few years. I do not say it would not be good. It is possible it would. I fear we may be going into a terrain that may cost us much more money where we now expect to effect some economies. I cannot give any details on the Arts and Crafts as I am not too familiar with it and did not care to look into the matter."

Senator Lamprey: "You just figured that should be included without looking into it?"

Senator Martel: "This is \$2,000 more than the Senate Committee appropriated. It is the sum the House Appropriation Committee put in. As I say, I had no idea of looking into that particular item. I would be willing to delete that from my amendment if the Senator from the 4th District has any reason to show why the Finance Committee of the Senate brought it down to \$10,000."

Senator Johnson: "I have two brief comments. There has been a statement made that it is quite unique, the concept we should lower salaries. In 1963, as you know, we passed a statute in which we gave the Governor and Council this power to set unclassified salaries. It may be of some interest to you that the Director of the New Hampshire Distribution Agency had his salary reduced from \$8,381 down to \$8,000. This is by Governor and Council action the Director of Clinical Service from \$12,220 to \$12,000; Director of Motor Vehicles from \$11,800 to \$10,500; Director Psychiatric Education had his salary reduced from \$12,200 to \$12,000; Director of Safety Services was reduced; and there is precedent indeed, for the Governor, in his wisdom, to take salaries and reduce them by his action. Turning to the question of the salary here and this position — looking at the unclassified salary range of the individuals, it happens the individual above the Comptroller had a range of, before last year, \$11,478 to \$13,064. The Comptroller had the same range. What happened to the Commissioner of Department of Employment Security — his salary was increased from \$13,500 to \$15,000 but the Comptroller was raised from \$16,000 to 17,500. You had a \$2,500 increase more for people who were equal as of 1963. Suddenly they are very unequal by \$2,500. I could go into other examples to show it was a disproportionate thing. The Senate Finance Committee decided this is a fair thing to do."

Question being on the adoption of the amendment offered by Senator Martel.

Senator Foley demanded a Roll Call.

The following named Senators voted in the affirmative: Lamontagne, Gove, Blaisdell, Riley, Martel, Foley.

The following named Senators voted in the negative: Martin, Mitchell Lamprey, Johnson, Gardner, Howard, Sag-

giotes, Buchanan, Green, Provost, Waterhouse, Bergeron, O'Gara, Tufts, Hunter.

Six Senators having voted in the affirmative, and fifteen Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

Senator Martel offered the following amendment:

Amend the appropriation For department of safety; Initial plate fund by striking out the same and inserting in place thereof the following:

Initial plate fund: +

Personal services:

Permanent	\$3,843
Other	1,500
Total	\$5,343

Current expenses	9,000
------------------	-------

Other expenditures:

Oasi, retirement, blue cross and insurance	297
Child safety council	2,000
Driver assistance	60,000

Total	\$76,640
Less estimated revenue	76,640

Net appropriation

*

+ Other provisions of law notwithstanding all expenditures from the initial plate fund shall be subject to budgetary limitations, and any balance in this fund at July 1, 1965 and June 30, 1966 shall lapse to the highway fund.

On motion of Senator Martel, reading of the amendment was dispensed with.

Senator Martel spoke in favor of the amendment: "The Initial Plate Fund — the amount as adopted by the Senate Finance Committee allocates a \$4,000 appropriation to establish police training schools. The only argument I have against that is that as I recall, it is the first time that we are taking money from the initial plate fund to appropriate it for anything other than what was originally adopted by the Legislature — namely for driver training purposes. I am not against police training schools, but I feel it would be more appropriate, in my

estimation, to take it from the highway fund. I think it is setting a bad precedent to take \$4,000 out of that initial plate fund to use it for other purposes other than adopted and set forth by the previous Legislature. What I am doing with the amount is taking away that \$4,000 and leaving it as is exclusively for the use of driver training. I don't think we should take \$4,000 appropriation to give police training in that particular fashion."

Senator Lamprey: "Is that in the Supplement?"

Senator Martel: "That is in the bill. The total amount is \$76,640 which under the supplement it would raise it to \$80,640 by adding \$4,000. You will find that in the supplement on page 16, third paragraph. I note that by adding to the end of the paragraph the following, 'police training school — \$4,000' thereby changing the figures and the total for the initial plate fund from \$76,640 to \$80,640."

Senator Foley: "I don't recall whether or not it was actually a bill but I think we have credited the driver training program and if we are increasing their appropriation I do not see how we can afford to take \$4,000 and get a program that should come out of the highway fund."

Senator Lamprey: "This was a request to the best of my knowledge, by the Commissioner to have this amount put in here as he felt that additional training would be helpful under this initial plate fund for the education of troopers. It was my understanding when this was put in here that this was the place it was taken out of during the last session of the Legislature. I am not sure about that. Personally, I do not have any strong feelings on where it comes from."

Senator Bergeron: "I think that is correct. The Commissioner came in and asked for this \$4,000 we inserted here."

Question being on the adoption of the amendment offered by Senator Martel.

Senator Lamontagne requested a Division vote.

Five Senators having voted in the affirmative, and thirteen Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

At the request of Senator Lamprey, the Chair declared a two minute recess.

(Recess)

The Senate reassembled.

Senator Lamprey offered the following amendment and moved its adoption:

Amendment to the Committee's Amendment to HB 653

Amend the amendment amending the appropriation For executive branch by striking out the line reading "Salary of governor 20,000" and inserting in place thereof the line,

Salary of governor 25,000

Further amend said appropriation by striking out the line reading "Other + 45,000", under Other personal services, by striking out the same and inserting in place thereof the following:

Other + 54,750

Senator Foley: "In this amendment have you included the \$11,000 for the trainee program?"

Senator Lamprey: "This does what we said we would offer, increase the Governor's salary and adds the \$9,750 for other personal service."

On a *viva voce* vote, the amendment was adopted.

Senator Waterhouse: "I would like to know what the status of the State Police program is in view of the fact we may increase motor vehicle fees to some extent. I would like someone to tell me exactly how many new State troopers the Commissioner of Safety may expect to get in the next two years, not counting those that may be taken out of the radio shack — new troopers. Could the Senator from the 4th or 5th District answer that."

Senator Lamprey: "I would like to state in answer to the question from Senator Waterhouse that I have been trying to get together with Commissioner Rhodes for several days but did not bother him over the weekend because he was tied up. I think I have a date with him for tomorrow. But I would expect it would be in the vicinity of 14 new troopers. We have already approved six in the second biennium so there is that difference between 6 and 14. It is a question of 8 at the present

time. I would think we would get together on a Committee of Conference in regard to this. There would be 22 new troopers on the highway."

Senator Riley: "Will there be any uniformed troopers at the radio installation?"

Senator Lamprey: "Yes."

Senator Riley: "How many — which ones are you taking away?"

Senator Lamprey: "This is what I am trying to get together with Commissioner Rhodes to determine those who are disabled and should be left there and also about the communications."

Senator Riley: "I would like to speak on this. I know a few troopers and I am aware of the fact on many occasions, as part of their training program, after they have been troopers, they get assigned to the head office and they work on the radios, etc., so that they are familiar with what is going on when they radio in and they familiarize themselves with all aspects of the police services. When they call in, they have some idea of what goes on on the other end. They take different ones from different parts of the State to familiarize them with all phases of the State Police. I think this is a good part of the program and I think if the intention is to stop this, I would be interested."

Senator Blaisdell: "The notes I took — ten troopers for communication and they were going to cut this to one. I would feel that this one man would be on 7 days a week, 24 hours a day. I agree I don't want to cut this out. I think it is very important to have a uniformed trooper to dispatch all over the State. If we had to train new people, it would seem to me they would not be familiar with the different parts of the set up by the Department of Safety. I would be in opposition. I think we do not use enough of our men of experience — older people might in there and I think we should use them."

Senator Howard: "Regarding State troopers, the Commissioner told us at a hearing he had 10 State troopers in the radio room. He had two girls in the radio room. The salary for the girls in the radio room is in the range of \$3,900. He told us at least six or possibly seven of these troopers in the radio room could be put out on the road. He also told us that 7 of these

10 State troopers drive to Concord in a State car and are in uniform and get the pay of State troopers. He admitted this was wrong and said 6 could be put on the road. Since our hearing and since he appeared, I am sure the President of the Senate has been trying to work out something with Commissioner Rhodes and hasn't gotten together with him. He agreed to this program."

Senator Foley: "I thought Thursday Senator Lamprey said 6 new State troopers would be approved. Now you have 14 and 22. We were told Thursday it was done because Mr. Rhodes was vague about his program. I would like to have this explained."

Senator Lamprey: "I said 6 are already in the second year of the budget."

Senator Lamontagne: "You say you plan to meet with the Commissioner of Safety tomorrow. Then if the budget is passed today, do you plan to work this out as a compromise for any changes that might come out?"

Senator Lamprey: "Yes. I plan to work it out with the Commissioner. It has to come back to the Senate again. This isn't the last crack."

Senator Lamontagne: "You plan to do it under the Committee of Conference?"

Senator Lamprey: "Yes."

Senator Lamontagne: "The reason I worried about this item when they said they were cutting this and that out of the troopers, I feel that up north we have a problem. Whenever we have a trooper and have an accident and he has a mountain between him and it takes him an hour to get there, we need more troopers up north and I am concerned. As long as this matter will be taken care of in the Committee of Conference, I will not worry for the time being."

Senator Martel: "I note on the Senate Supplement on page 2 of HB 653, there is an appropriation of \$10,000 for an interim study of the settlement laws. Would you tell us what the settlement laws are? I have no knowledge of what they are."

Senator Lamprey: "The settlement laws deal with those matters pertaining primarily to health and welfare. That has

been on the books for about 50 years. I have had some discussion with Rae Laraba about this. It is a tremendous task and it was not felt it could be done during a legislative session. Therefore, this is going to take a great deal of research and it is going to take a lot of analysis by somebody that is familiar — an expert in the field — and will bring these settlement laws up to date. I think it comprises some 40 pages of statutes and it is a complicated business.”

Senator Martel: “On the supplement on page 38 where the Senator from the 4th District explained last Thursday to us that the second year appropriation for the University had been transferred or added to the first one — in the light of this, I would ask this question. Should not on page 41, the totals for the fiscal year ending June 30, 1967 be changed. If we appropriate \$1,250,000 would that not be added?”

Senator Lamprey: “No. The reason for it is this. With this footnote this comes out of unrestricted funds and this is appropriated funds and there is a difference between appropriated and unrestricted funds. Unrestricted funds are those funds accumulated by a surplus.”

Senator Martel: “I don’t quite get it. Assuming that sum is expended would that not make the total \$44 million?”

Senator Lamprey: “Yes, it would. But it would not be coming out of appropriated funds. The \$1,250,000 is going to come out of unrestricted funds. That is money that has been earned during the first year of the biennium but not appropriated.”

Senator Martel: “I remember in your earlier remarks you mentioned, if I am correct, the increase that the Senate Finance Committee had approved amounted to \$1,220,000 altogether above the House Appropriation.”

Senator Lamprey: “\$1,250,000.”

Senator Martel: “I am talking about the sum for nursing home care — hospital care. It was \$1,220,000. That is why I couldn’t understand why this \$1,250,000 was not added onto it. I feel nevertheless it is a dangerous precedent for us to embark into and to authorize in the event we do not have sufficient funds in the second biennium, give to the University that \$1,250,000 whereby we authorize the State Treasurer to borrow

on short term notes. I think it is not quite the right thing to do. In fact, I am sure. I am also aware of the fact that as is public knowledge, the Governor has stated in a letter to the Senator from the 4th District that he will not allow such action to take place. While I am on my feet, I wanted to make one final request. Last Thursday I added a few remarks that related to the \$226,000 which was being appropriated for the Legislative Budget Assistant's office for post-audits of the various State Departments. As I recall, I stated there was no footnote that indicated for what purpose that was being appropriated. I think that is a large sum of money to appropriate with no footnote it be expended solely for that. I say this in the light of the fact that it was HB 435 which has not been acted upon by the House Appropriation Committee and as it was not, it would seem only logical here that the Senate should footnote that paragraph and make sure that the sum of money is to be expended solely for that purpose. I don't know how the Senator from the 4th District feels about this but I think it is only logical we should do that. If it were a small amount, it might be inconsequential but that is a lot of money."

Senator Lamprey: "While the Senator is sitting there, I would like to hand you HB 554 introduced in the last session of the Legislature which appropriated and was sponsored by the Governor's \$20 million bond issue which was to be used for capital construction and for current expenses. It is true that the Governor, on last Thursday, delivered a letter in which he threatened to veto the financial budget unless certain changes were made. The Governor states in his letter he felt the Senate Finance Committee recommendation of providing funds for the University of New Hampshire was 'unmistakably deficit financing and nothing else.' This letter to me is nothing more than a political move dealing in partisan preferment and the following proves this point. This letter was handled in an entirely different manner than any other communication from the Governor to me relative to the budget. This is the first time the press was given a copy of a letter delivered to me. Why? Because it was time to get the greatest political benefit. I have never seen his letter of June 15 or June 16 relative to the budget made public — but to the issue. To one who would like to have the public believe we are dealing in deficit financing, is this the same Governor who proposed in the 1963 session a \$20 million bond issue to finance secondary education; is this the same Gov-

ernor who proposed we buy state automobiles and finance them through a 20 year bond issue; is this the same Governor who proposed in his budget recommendation to the General Court close to \$100,000 for the moving of equipment from one of our older vocational schools to the new ones; is this the same Governor who asked for a \$20 million bond issue to acquire land for park expansion without knowing where the money is coming from; is this the same Governor who asked for oil conversion at the Manchester Technical School for \$18,000 to be placed under a bond issue; is this the same Governor who asked us to buy and replace venetian blinds in the State House in the Annex for \$30,000; is this the same Governor who asked us to buy new equipment which had a short life for the Fish and Game Department and place it under a bond issue; is this the same Governor who asked us for renovation money to put toilets and recreational room in the Soldiers Home on a bond issue? I speak to this issue relative to the University of New Hampshire. Let us for the record say again, the money would be paid to the University of New Hampshire is to be earned in the first year of the biennium and would be paid out in the second. The short term notes are only for insurance. New Hampshire is noted for its excellence in education. The need is great. Our University must from this date on expand rapidly to meet the growing need. We, in the Senate Finance Committee, have faced up to this issue. We have faced up to the need and there is nothing that indicates that it is fiscal irresponsibility and this charge is made purely and simply for the political benefit they can reap from it."

Senator Martel: "What about the remarks I made relating to the \$226,000. Don't you feel we could have clear, unmistakable language written in as a footnote to explain that money is to be used solely for that purpose?"

Senator Lamprey: "If I see the amendment, I would like to consider it."

Senator Martel: "I do not have the amendment ready. If you would give us a two minute recess —"

The Chair declared a recess.

(Recess)

The Senate reassembled.

Senator Martel: "I have been assured by Senator Lamprey that the conferees on the part of the Senate will urge that suitable language be written when the Committee of Conference meets together relative to money spent out of the Legislative Budget Assistants Office for the purpose of post-audits."

Senator Foley: "I would like to ask for a clarification of section 26 on page 22 of HB 653 and it is the same thing on HB 654 'Other provisions of law notwithstanding, all rooms on the third floor of the State House * * *.' I do not understand why it is in an appropriation bill. I do not understand why it is in anyway."

Senator Lamprey: "I think you will find it in last year's budget and the budget before that. I do not know how long it has been there. This merely insures the fact that the legislative Budget Assistant and legislative people are taken care of so far as rooms are concerned. It is only the third floor they can do anything with and it has worked out satisfactorily. We have expanded and allowed the Attorney General to use space up there. We have never had any problem with it."

Question being on the adoption of the amendment to the Committee amendment offered by Senator Lamprey.

The amendment was adopted.

Question being on the adoption of the Committee amendment as amended.

The Committee amendment as amended was adopted and the bill was ordered to a third reading. Senators Foley and Blaisdell desired to be recorded as voting in opposition.

Special Order at 11:04 a.m.

Senator Johnson called for the Special Order and the rules were suspended in order to take this up at the present time.

Special Order being HB 654, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1967. Committee Report Ought to pass with amendment.

Senator Martel: "May I ask a question. Those amendments offered by the Senator from the 4th District on HB 653 do not apply on HB 654?"

The Chair: That is right.

Senator Lamprey offered the following amendment to the Committee's amendment:

Amendment to the Committee's Amendment to HB 654

Amend the amendment amending the appropriation For executive branch by striking out the line reading "Salary of governor 20,000" and inserting in place the line,

Salary of governor 25,000

Further amend said appropriation by striking out the line reading "Other + 45,000", under Other personal services, by striking out the same and inserting in place thereof the following:

Other + 51,750

The amendment to the Committee's amendment was adopted.

Question being on the adoption of the Committee amendment as amended.

The Committee amendment as amended was adopted and the bill was ordered to a third reading. Senators Foley and Blaisdell desired to be recorded as voting in opposition.

On motion by Senator Lamprey the rules were suspended to place HB 653 on third reading and final passage at the present time in order to message it into the House.

Third Reading and Final Passage of Bill

HB 653, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1966.

On motion of Senator Lamprey, the Senate refused to reconsider its vote on the above entitled bill.

On motion of Senator Lamprey the rules were suspended to place HB 654 on third reading and final passage at the present time in order to message it into the House.

Third Reading and Final Passage of Bill

HB 654, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1967.

On motion of Senator Lamprey the Senate refused to reconsider its vote on the above entitled bill.

On motion of Senator Buchanan, the Senate recessed for one hour.

(Recess)

House Message

The House of Representatives has voted to refer to the Judicial Council, the following entitled Senate Bill:

SB 75, relative to manner of serving terms of imprisonment.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

SB 100, relative to appointment of process agent by foreign corporation.

HB 661, relative to the New Hampshire Congregational-Christian Conference.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 49, to increase the limit of outstanding borrowing by the state.

The Message further stated that the House has voted to accede to the request of the Senate for a Committee of Conference on the following entitled bill:

SB 90, raising the maximum amount of group life insurance allowed to be written for two or more employers in the same industry or two or more labor unions.

The Speaker has appointed as members of said Committee on the part of the House: Representatives Stratton of Derry; Montplaisir of Manchester; and Desmarais of Jaffrey.

The Message also stated that the House refuses to concur with the Senate in its adoption of the amendments to the following entitled bills, sent down from the Senate:

HB 653, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1966.

HB 654, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1967.

and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Representatives Eaton of Hillsborough; Craig of Manchester; and Roberts of Conway.

On motion of Senator Martel, the Senate voted to accede to the request of the House for a Committee of Conference on the above entitled bills.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate; Senators Lamprey and Bergeron.

Introduction, First & Second Reading of Bills

SB 132, legalizing the proceedings of a special meeting of the Amherst School District on June 15, 1965 (Buchanan). Referred to Education.

On motion of Senator English, the rules were so far suspended as to dispense with the printing, referral to Committee, holding of public hearing, and that the above entitled bill be taken up at the present time.

Senator Buchanan: "Mr. President, this is a housekeeping bill in advance. There was a special bond issue voted at this meeting. There was some discussion as to the checklist used. The Moderator of the meeting acted with despatch, but we would like to have this bill enacted. There is no known opposition, and it passed by the necessary margin."

The bill was ordered to a third reading.

Senator Lamontagne inquired: "Mr. President, why was Senator Bergeron chosen as a member of the Committee of Conference on the budget bills, instead of Senator Martel, the Minority leader?"

The Chair: "There are always two members of the Finance Committee."

Senator Lamontagne: "Mr. President, I believe it would be best that the Minority leader be named. I have no objection to

Senator Bergeron, but I still feel that the Minority leader should have been appointed."

Senator Lamontagne: "Senator Martel is on the Finance Committee."

The Chair replied in the negative.

Senator Martel: "Mr. President, for a matter of record, I have stated this before. I have mentioned this before, when many have suggested that I should have been on the Finance Committee. At the time, I wanted someone else to be on the Finance Committee. The Governor has asked me to be on the Committee, but because of pressure to my duties back home, I was unable to find the time to sit in on that Committee. As has been mentioned, it is customary to have the Minority leader on that Committee. But this year, I definitely declined and requested that Senator Foley be put on. But by some people, it was thought better not to appoint the member from the 24th District. That is as the matter stands now."

Senator Blaisdell: "Mr. President, you appointed Senator Bergeron and you appointed yourself. Since Senator Bergeron has come out flatly against the pay raise for the Governor, he stated that openly, then I do not feel that we are represented here. If this is to be a Committee of Conference, I think the Minority Party should be represented. Since Senator Bergeron has said that he was against it, I will state again that I do not feel that we are represented. There have been many changes, so I will ask possibly that you might consider Senator Martel. He did put quite a bit of work on this."

House Message — First & Second Reading of Bills

HB 156, relative to state participation in water pollution control costs. Referred to Finance.

HB 585, relating to the Monadnock Regional School District. Referred to Education.

HB 730, to clarify the method of procedure of casting absentee ballots by the moderator. Referred to Executive Depts., Municipal & County Governments.

HB 734, to clarify the procedure on challenges of absentee ballots. Referred to Judiciary.

HB 772, to legalize the proceedings of a special meeting of the Goshen-Lempster Co-operative School District on June 5, 1965. Referred to Education.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 84, requiring reporting by physicians and institutions of certain physical abuse of children.

SB 97, creating a state commission on the arts.

Bill Recalled from the Governor

On motion of Senator Buchanan, the following entitled bill was recalled from the Governor:

HB 576, to establish the city of Exeter.

On motion of Senator Buchanan, the Senate voted to reconsider its vote whereby it ordered the above entitled bill to a third reading and final passage.

The bill was on its second reading.

On motion of the same Senator, the above entitled bill was referred to the Committee on Executive Depts., Municipal & County Governments, in order that an amendment may be prepared.

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments:

SB 125, relative to state employees' retirement system. Ought to pass with amendment.

Amend the bill by adding the following new sentence at the end of section 1, This right of reentry shall be limited to employees in service on June 30, 1965 and all eligible employees shall complete the required application and make the required repayment within six months of the effective date of the act, so that said section as amended shall read as follows:

1 Right of Reentry after Interruption of Service. Amend RSA 100 by inserting after section 10 the following new section: 100:10-a Reentry of Member after Interruption of Serv-

ice. If a member ceases to be an employee, and at the time of termination of employment has had twenty years or more of state service as a member, and was in good standing at the time of said termination, and at a later date again becomes eligible to become a member; at the time of renewal of his eligibility he may, on his request in writing, be reinstated with full credit for the term of prior service, provided that, in the event that his accumulated contributions shall have been paid to him, he shall pay into the retirement system the amount of said contributions and interest at three percent per annum on said contributions for the period of time he was not a member. This right of re-entry shall be limited to employees in service on June 30, 1965 and all eligible employees shall complete the required application and make the required repayment within six months of the effective date of the act.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2 Takes Effect. This act shall take effect on July 1, 1965.

Senator Buchanan: "Mr. President, when a state employee leaves the state service, the money which he has paid into the retirement fund is returned to him. This bill would permit an employee to reenter the retirement system if he reenters State service and receive credit for prior service upon payment of the money plus 3%. The amendment would limit it to employees in State service on June 30, 1965 and was suggested by the Employees Retirement Board."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal — County Governments:

HB 359, relative to bail commissioners. Ought to pass.

Senator Buchanan: "Mr. President, this bill increases the fees paid to a bail commissioner. At the present, they receive \$2 from 7 a.m. until 10 p.m. and \$4 from 10 p.m. to 7 a.m. This increases it to \$2 from 9 a.m. to 5 p.m. Monday through Friday and \$4 at all other times. There was no opposition in the House or at our hearing."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts, Municipal & County Governments:

HB 394, to require registers of probate to notify registers of deeds on death of person owning real estate in the state. Ought to pass.

Senator Buchanan: "Mr. President, this would close a gap in the records. If a person owns real estate in one county and dies in another, his record of death and probate has to be checked between the counties. When the register of probate gets a probate which shows there is property owned by this individual in another county, he will notify the register of deeds in that county and they will record the place of his death so that the Clerk can find his probate. This is only a notification and the bill provides the estate.

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments:

HB 613, relative to town appropriations for railroad passenger service. Ought to pass.

Senator Buchanan: "Mr. President, this is permissive legislation to authorize towns and cities to sign contracts where there is public necessity to procure railroad passenger service. This involves no appropriation. It is a matter for the local community. There was no opposition."

Senator Hunter inquired: "I remember where Manchester had a problem—they tried to pay the buses to run."

Senator Buchanan: "It refers to railroads. The sponsor of the bill is a railroad man."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments:

HB 627, increasing the salary of the county commissioners of Sullivan County. Ought to pass.

Senator Buchanan: "Mr. President, this would give the commissioners a \$600 a year increase. It has been unanimously endorsed by the Sullivan County Delegation. There was no objection in either the House or Senate hearing."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments:

HB 633, to clarify the procedure for the delivery of absentee ballots to the moderator. Ought to pass.

Senator Buchanan: "Mr. President, in 1961, the Legislature passed a law which revised Section 60:4. The Secretary of State appeared in favor of these changes which will bring Section 60:7 into conformity with the procedures in section 60:4. Now, the Town Clerk will take the application, look at the check list, and then send the voter a ballot. If the voter is not on the check list, he shall notify the voter."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments:

HB 655, to adjust sick leave of state police injured in line of duty. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Sick Leave. Amend RSA 106-B as inserted by 1961, 166:8 by adding at the end thereof the following new section:

106-B:18 Line of Duty Injury. Any injury received by any state police employee because of his assignment, patrol or duty that requires that he be hospitalized or to the extent that he is unable to perform his normal or routine duties shall not be charged against his earned sick leave or annual leave, and during such time his name shall remain on the payroll. The director of the division of state police shall make the final determination as to whether the injury received is in line of duty and his decision is final, subject to approval of governor and

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

Senator Buchanan: "Mr. President, when they are injured in line of duty, their sick leave has been taken from them in the past. The Department feels this is essential legislation. The amendment would add 'with the approval of Governor and Council.' There was no opposition at either hearing."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments:

HB 689, changing the name of New Hampton Village Fire Precinct to New Hampton Village Precinct. Ought to pass.

Senator Buchanan: "Mr. President, New Hampton no longer owns the Fire Department; they have given it to the town. This change is needed as they are floating a bond issue for a sewerage plant."

The bill was ordered to a third reading.

**Announcement
by the Chair**

"Through an error by the printer, the reports from the Committee on Health, Welfare & State Institutions were included in today's Calendar, whereas they should have been listed as being on the Calendar for tomorrow. Therefore, they will be coming on the floor tomorrow, unless there is objection."

There being no objection, the reports will be on the Calendar for tomorrow.

Committee Reports (continued)

Senator Waterhouse, for the Committee on Ways & Means:

Concurrent Resolution relating to telephone excise tax. Ought to pass.

Senator Waterhouse: "Mr. President, this is one of those temporary war time tax and they are attempting to appeal now through petition to Congress. There was no opposition. One man from the telephone company appeared in favor of the bill. This is simply to petition Congress to give us back this particular tax. The telephone company is apparently the only utility that is now penalized."

The Senate voted to concur in adoption of the above Concurrent Resolution.

Senator Waterhouse, for the Committee on Ways & Means:

Concurrent Resolution relative to refund of federal income taxes to state. Ought to pass.

Senator Waterhouse: "Mr. President, this is based on a Resolution that Illinois has already sent to Congress petitioning them for 10% back of the income tax sent in. In this particular instance, it means 23 million dollars to the State of New Hampshire. We figured it was worth the attempt. Three spoke in favor and there was no opposition."

The Senate voted to concur in adoption of the above Concurrent Resolution.

Special Order of Business for 11:01

Senator Saggiotes called for the Special Order.

It being: HB 469, relating to minimum wages of persons engaged in municipal public works projects. Consideration of Committee Report: Inexpedient to legislate.

On motion of Senator Saggiotes, further consideration of the above entitled bill and report were made a Special Order of Business for Thursday next at 11:01.

Senator Saggiotes made the following explanation of the request above:

"Mr. President, there has been additional information and questions that have arisen among the Committee members which we would like to discuss in executive session. That is the reason for my request."

Special Order of Business for 11:02

Senator Tufts called for the Special Order.

It being: HB 274, relative to supervisory unions. Ought to pass.

Senator Tufts: "Mr. President, I did as much investigating as was possible over the weekend and I find that there is no great change and no change that would hurt any small town or big town, so I agree with the Committee, of which I am a member, and hope that it will pass."

Senator English: "Mr. President, HB 274, is a housekeeping bill and deals with supervisory unions. Here again, the bill was

strongly supported and unopposed. The amendment offered by the House appears on page 1964 of the House Journal. This proposal provides that supervisory unions, legally organized, shall be considered corporations with power to sue and be sued, to hold and dispose of real and personal property, etc.”

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 448, relating to the custody and escheat of unclaimed and abandoned property. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the first three lines and inserting in place thereof the following: 2 Repeal. RSA 294:125, 126 and 127 (supp) as inserted by 1955, 118:1, RSA 386:24-26 and 28-30, inclusive, RSA 395:22-25 inclusive, and RSA

Amend section 3 of the bill by striking out the first line and inserting in place thereof the following:

3 Warehouses. Amend RSA 348:12 (supp) as amended by 1959, 247:2 by strik-

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 299, to remove employees working under the federal minimum wage law from the provisions of the minimum hourly rate, and to remove children working for their parents, and spouses working for each other, from the provisions of the minimum wage law. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the first two lines and inserting in place thereof the following:

2 Exceptions. Amend RSA 279 by inserting after section 26 as amended by section 1 of this act the following new section:

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills:

Senator Martin, for the Committee on Engrossed Bills:

HB 555, relative to payment of fees by foreign corporations. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out line two and inserting in place thereof the following:

after section 5 as amended by 1955, 171:10 the following new section: 300:5-a

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 266, relative to the disposal of garbage and refuse. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the last five lines and inserting in place thereof the following:

Injurious to the public health or deposits garbage or refuse on premises not designated as public dumping facilities in accordance with the provisions of sections 23 to 29, he shall be fined not more than twenty-five dollars, and the health officer shall remove or cause to have removed the same. Provided that nothing herein shall be construed as affecting authorized collections of garbage or refuse for public dumping facilities.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 457, relative to the salary of the sheriff of Cheshire County. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Salary of Cheshire County Sheriff. Amend RSA 104:29, as amended by 1955, 172:1, 247:1, 1957, 156:1, 309:4, 1961, 175:1, 1963, 129:1 and 1965, 162:1 by striking out the entire

section and inserting in its place the following: 104:29 I. Salaries of Sheriffs. The annual salaries of sheriffs of the several counties shall be as follows:

In Strafford, two thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, two thousand four hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, two thousand dollars.

The salaries of the sheriffs of Grafton and Belknap counties shall be paid monthly.

II. In Rockingham the annual salary of the sheriff shall be nine thousand five hundred dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

III. In Sullivan the annual salary of the sheriff shall be eight thousand dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs

and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

IV. In Cheshire the annual salary of the sheriff shall be nine thousand five hundred dollars which shall be paid monthly. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

2 Takes Effect. This act shall take effect July 1, 1965.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 389, to provide for the use of distinctive flags or distress signals by handicapped or paraplegic operators of motor vehicles. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out lines one and two and inserting in place thereof the following:

1 Distress Signals. Amend RSA 260 by inserting after section 18-a (supp) as inserted by 1957, 160:1 a new section as follows:

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 579, increasing penalties for violations of rules and regulations at forests and reservations. Report the same under

Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first six lines and inserting in place thereof the following:

1 Public Forest Lands. Amend RSA 219:7 as amended by 1961, 233:3 by striking out said section and inserting in place thereof the following:

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 625, relating to operators' and chauffeurs' licenses, the age of school bus operators, and conduct after a motor vehicle accident.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of said bill by striking out the first two lines and inserting in place thereof the following:

2 Cancellation of License. Amend RSA 261 by adding at the end of the chapter a new section as

Amend section 4 of said bill by striking out the first two lines and inserting in place thereof the following:

4 Conduct After Accident. Amend RSA 262-A:67 (supp) as amended by 1957, 144:1 and 1963, 330:1 by striking

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills:

HB 552, relative to benefits and taxing provisions under the unemployment compensation law. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 14 of the bill by striking out the same and inserting in place thereof the following:

14 Superior Court. Amend RSA 491:8-a (supp) as inserted by 1959, 264:1 and amended by 1965, 139:1 by striking out the

same and inserting in place thereof the following: 491:8-a Motions for Summary Judgment. In any action founded on contract or arising under the provisions of RSA 282 in which the plaintiff seeks to recover a debt or liquidated demand, either party may, at any time after the defendant has appeared, move for immediate entry of judgment, setting forth with particulars his cause of action or his defense. This motion shall be accompanied by affidavits based upon personal knowledge of admissible facts as to which it appears affirmatively that the affiants will be competent to testify. The facts stated in accompanying affidavits shall be taken to be admitted for the purpose of the motion unless within fifteen days contradictory affidavits based on personal knowledge are filed or the opposing party shall file an affidavit showing specifically and clearly reasonable grounds for believing that contradictory evidence can be presented at a trial but cannot be furnished by affidavits. If such affidavits are not filed by the opposing party within said fifteen days, judgment shall be entered on the next judgment day in accordance with the facts. Copies of all motions and affidavits shall upon filing be furnished opposing counsel. If affidavits are filed but it shall appear upon hearing that no genuine issue of material fact exists, judgment may be entered accordingly.

The Senate voted to concur in adoption of amendment offered by Committee on Engrossed Bills.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Joint Resolutions:

HB 104, An Act to prohibit spillage of loose material and fluids on highways.

HB 321, An Act relative to future water supplies for the city of Manchester.

HB 426, An Act relative to penalties for hunters shooting domestic animals.

HB 606, An Act providing for the acquisition of a certain dam and water rights on the Suncook River by the water resources board.

SB 67, An Act relative to retirement benefits for officers and employees of the League of New Hampshire Arts and Crafts

and the New Hampshire State Employees Federal Credit Union and employees of the State Employees' Association of New Hampshire.

HJR 41, Joint Resolution providing deficiency appropriation for board of professional engineers.

HB 94, An Act appropriating additional funds for the construction of a residence hall at the University of New Hampshire, and to be liquidated from income,

HB 202, An Act authorizing McIntosh College, Inc. to grant degrees.

HB 521, An Act relative to the investment of capital reserve funds of cities.

HB 270, An Act amending the checklist requirements for towns over 4,500.

HB 296, An Act relative to trustee's compensation.

HB 440, An Act relative to the firemen's retirement system.

HB 470, An Act relative to the Frisbie Memorial Hospital and to the Gafney Home for the aged.

HB 478, An Act legalizing proceedings at the town meetings March 10, 1964 and March 9, 1965, in the town of Strat-ham.

HB 407, An Act relative to the staff of the New Hampshire National Guard.

HB 460, An Act providing for the classification of certain surface waters of the Suncook River watershed.

HB 580, An Act to authorize corporations to guarantee the debts of others.

HB 692, An Act designating February as American History Month.

HJR 29, Joint Resolution in favor of Seth J. Hayes.

HJR 39, Joint Resolution in favor of Anne Plummer.

HJR 34, Joint Resolution in favor of estate of Annes Helen Davis.

HB 157, An Act relating to the establishment of community mental health programs and state aid herefor.

HB 584, An Act authorizing the department of education to participate in the federal program under the Vocational Education Act of 1963.

Eda C. Martin
For the Committee,

The report was accepted.

The Chair recognized Senator English: "Mr. President, HB 772, to legalize the proceedings of a special meeting of the Goshen-Lempster Cooperative School District on June 5, 1965, has been received in the Senate.

"This bill, I have been given to understand, is another one of those technical legalizing bills and there is no known opposition to it. Therefore, I would move that the rules be so far suspended as to permit the introduction of a Committee Report not previously advertised in the Journal."

On a *viva voce* vote, the motion prevailed.

Committee Report

Senator English, for the Committee on Education:

HB 772, to legalize the proceedings of a special meeting of the Goshen-Lempster Cooperative School District on June 5, 1965. Ought to pass.

The bill was ordered to a third reading.

The Chair recognized Senator Foley, under personal privilege: "Mr. President, I just wish to say that I have all the respect in the world for Senator Bergeron, but I notice that the House appointed the Minority leader to serve on the Committee of Conference on the budget bills and I feel in all justice, the Minority leader should have been named to the Committee of Conference here in the Senate."

On motion of Senator Martel, the Senate went into afternoon session.

Third Reading & Final Passage of Bills

SB 125, relative to state employees' retirement system.

SB 132, legalizing the proceedings of a special meeting of the Amherst School District on June 15, 1965.

HB 274, relative to supervisory unions.

HB 359, relative to bail commissioners.

HB 394, to require registers of probate to notify registers of deeds on death of person owning real estate in the state.

HB 613, relative to town appropriations for railroad passenger service.

HB 627, increasing the salary of the county commissioners of Sullivan County.

HB 633, to clarify the procedure for the delivery of absentee ballots to the moderator.

HB 655, to adjust sick leave of state police injured in line of duty.

HB 689, changing the name of New Hampton Village Fire Precinct to New Hampton Village Precinct.

HB 772, to legalize the proceedings of a special meeting of the Goshen-Lempster Cooperative School District on June 5, 1965.

On motion of Senator Gove, the Senate adjourned at 4:35 P.M.

TUESDAY, June 22, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of Senator Buchanan, his three sons, his daughter Blair, and wife Rosamond.

As the guests of Senator Green, her married daughter Mrs. William A. Saxton, grandson, Gary Michael, and granddaughter, Susan Elizabeth.

As the guests of Senator Foley, her husband John, and friend Frank Cudahy, an authority on Junior Colleges and a fine Democrat from California.

As the guests of Senator Gove, his daughter Julia and her friend Cynthia Lutz.

Announcement by the Chair

"Senator English inquired of the Chair last Thursday as to whether or not it was necessary to take up immediately a veto message which might be received from the Governor. The Article which has reference to veto in the New Hampshire State Constitution is Article 44 and I will read that portion which relates to the question under consideration.

"[Art.] 44. [Veto to Bills.] Every bill which shall have passed both houses of the general court, shall, before it becomes a law, be presented to the governor, if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it:

"The Chair would state that it has always been the precedent in New Hampshire to consider it immediately. However, this is by custom and precedence only. There are probably several alternatives which the Senate, in its wisdom, could consider other than immediate consideration. As this is the custom that generally prevails in the national House, and most Senators are aware that when a question which has not been considered before, comes before the House or Senate here, we generally try to follow the custom of the national House. The national House either postpones to a day certain, lays it on the table, or refers it back to the Committee. The Counsel of the Senate feels that any of these actions would be appropriate to have preceded the reconsideration and would be in order."

Senator English: "Thank you very much. The procedure which you have outlined fully takes care of the problem that was in my mind. If we had to immediately consider, right on the spot, a message of this sort, obviously, there would not be time to carefully study the Governor's message. But the reasons outlined here, obviously, would be satisfactory."

Senator Buchanan presiding.

Committee Reports

Senator Tufts, for the Committee on Judiciary: HB 570, relative to the sale of sweepstakes tickets. Ought to pass.

Senator Tufts: "Mr. President, this bill, passed by the House, proposes that sweepstakes tickets may be sold at the office of the Sweepstakes Commission, which is in the Annex of the State House, and where it has people coming in intending to buy tickets and they cannot sell them at the present time. It seems reasonable that they be allowed to sell them. It also establishes two branch offices at the entrance to the toll booths at Hampton and Hooksett. At this point, two new buildings will be built, designed by the Public Works & Highways, and sweepstakes tickets may be purchased at these two toll stations. We have been assured that there is adequate parking at these facilities for information, rest rooms, and for the small building which will be built solely for this purpose."

Senator Lamprey inquired: "Is it not so that there are no general funds involved here and the only appropriation that might be spent will be spent from the sweepstakes fund?"

Senator Tufts replied in the affirmative.

Senator Lamprey: "Mr. President, I would just like to briefly explain to the members of the Senate the difference between this bill and the other bill that has been previously voted down by being indefinitely postponed, because there is considerable difference and in no way, shape or manner are the merits of the subject matter which has been previously considered by the Senate within the scope of the present bill. The present bill allows the creation of branch offices and it will be necessary for a person who wants to purchase a sweepstakes ticket at either Hampton or Hooksett or at the Concord office to go into the branch office to make the purchase. I think it also could be and should be pointed out here now that there is a need for additional sales outlets if the recommendation as given by the Board of Education to local school districts is to be met. It is my understanding, and after an examination of the sales which have been made in comparable weeks of this year's sales vs last year's sales that they are considerably below that of last year and there is a question as to whether or not the anticipated revenue can be reached without additional sales outlets. This, as you know, goes toward a reduction of your tax at the local level and is going back to the local cities and towns."

Senator Lamontagne: "Mr. President, I had no intention of rising, but Senator Lamprey has pointed out that the cities and towns have made some plans as far as the amount of funds

that they would be receiving from the sweepstakes. The purpose of the amendment in the sweepstakes was for the cities and towns to get a check before they spent it. Therefore they should not be planning to spend this before they get it. That is why I think there is a misunderstanding all along to have this money go toward education. I am sure if the city fathers would look up the law and see how this was presented and the date was for them to get a check before the fiscal year. You cannot plan on this from one year to another. I had presented an idea. I had talked this over with some members of the Senate and I thought it was a very good idea. I have talked this over with my people. The idea was to have a mobile unit to go to fairs, conventions, etc. This would have brought in more revenue. You should put them where the people are. On this bill here, I am not too pleased but there is one thing, I am pleased to see that we will not be selling these tickets in hotels and motels and at recreational areas. The majority seems to be in favor of this bill and I will not oppose it at this time."

Senator Martel: "Mr. President, on one of the few occasions that I have had to associate myself with my colleagues from the 4th and 5th Districts. I am very happy this morning to associate myself with them in favor of passage of HB 570. This, I can assure you, that I am strongly in favor of this bill. I urge my colleagues to do likewise."

Senator Martel: "Legalized gambling is not evil. At least, the Governor of New Hampshire has given the opportunity to these citizens of New Hampshire of getting something in return for the purchase of sweepstakes tickets — to help education. I wish at this time to pay public homage to the Commission and its Director for the tremendous job that they have done since this became law. They are to be commended publicly for the excellent performance that they have shown over the past two years. I will admit that where gambling is concerned, we have to be extra careful. But I have not heard any complaint about the sweepstakes and the way that it is being carried on. I would urge my colleagues to give their utmost support to this legislation."

Senator Foley: "No one twists anybody's arm to buy a sweepstakes ticket or go to Rockingham racetrack and bet on the horses, both of which are legalized gambling. The state needs both. The House worked hard and long for a bill that

we voted to indefinitely postpone. We really need the money, and I would hope my colleagues would support this bill."

Senator Mitchell: "Mr. President, I am sorry that I am not going to be able to vote for this bill as presented. I was in hopes and I had understood that there would be a bill introduced that I could go along with, but apparently, this was not the case. When you watch baseball games on television, you speak of a switch hitter. I am not a switch hitter. I claim that 99% will never buy a sweepstakes ticket. But I do not want to see that sign up there for all those coming into our State to see — advertising to buy a sweepstakes ticket. I would hope the Senate would vote against this bill."

Senator Green: "Mr. President, the sweepstakes bill may not be the best bit of law, but in my opinion, if it is a law, we must not try to discourage the sweepstakes commission, but we must give them the tools to work with to make it most effective."

Senator Blaisdell: "Mr. President, I wish to speak in support of this bill and in support of the remarks of Senator Martel commending the Commission and Mr. Powers. I think they have done a tremendous job and I urge my colleagues to support this bill. It is much needed legislation."

Senator Martel: "Mr. President, I had forgotten a very important part of my remarks. Senator Lamprey, you cannot imagine how much I would have loved to have found myself more in accord than I have been able to be."

Senator Lamprey: "That is not my fault, Louie."

Senator Riley: "Mr. President, I rise in support of this bill. I run a small motel. I know that a good 50% of the tourists ask 'where can I buy a sweepstakes ticket?' My place of business is also near the Hooksett toll station. It will be located on state property and I think this is an excellent bill. I did have some objection to the drafted bill, but this ties the sweepstakes bill into private enterprise. I believe this is a good program and am in support."

Senator Bergeron: "Mr. President, I am in support of this bill. I think this time we are going to make it."

The bill was ordered to a third reading.

Senator Blaisdell demanded a Roll Call.

Senator Blaisdell withdrew his motion for Roll Call.

Introduction of Guests

As the guests of Senator Bergeron, Brownie Troop No. 428 from Gonic, N. H. Scout Leader Rep. Glenna Rubins of Rochester; Co-Leaders Georgia Beaulieu, Stella Levesque, Miss Louis Peers, Betty-Lou Colbroth, Lucille Denton, Elinor Fox, Rita Gervais, Lorraine Topple and Margaret Cook, and Brownies Sherry Wozriak, Mona Gervais, Kristina Beaulieu, Pamela Gilman, Carissa Colbroth, Sandra Paradis, Janet Topple, Janet Rubins, Patricia Cook, Roxanne Leclair, Darlene Denton, Noreen Norman, Deborah Fox, Louise Cardin and Annette Levesque.

Committee Reports (continued)

Senator Rinden, for the Committee on Judiciary:

HB 703, relative to revocation of hunting licenses for conviction by court of another state. Ought to pass.

Senator Rinden: "Mr. President, the bill does just what the title indicates. It gives the commissioner the right to revoke licenses where people have been convicted of violation of hunting licenses in other states."

The bill was ordered to a third reading.

Senator English, for the Committee on Judiciary:

HB 260, relative to private ownership liability exemption. Ought to pass.

Senator English: "Mr. President, this bill is sponsored by the aeronautics commission and it removes certain liability obligation in connection with operation of privately owned fields used strictly for non-commercial purposes. The amendment appears on page 874 of the House Journal and it is felt that this bill will promote the development of private airfields.

The bill was ordered to a third reading.

Senator Riley, for the Committee on Judiciary:

HB 591, to extend the curfew regulations. Ought to pass with amendment.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Curfew. Amend RSA 571:9 by striking out in the third line the word "nine" and inserting in place thereof the word, eleven, so that said section as amended shall read as follows: 571:9 Minors Under Sixteen. In all such cities and towns it shall be unlawful for any minor under the age of sixteen years to be upon any public street, or in any public place, after the hour of eleven o'clock in the evening, unless accompanied by a parent, guardian, or other suitable person.

Amend the bill by striking out sections 3 and 4.

Further amend the bill by renumbering section 5 to read section 3.

On motion of Senator Howard, the reading of the amendment was dispensed with.

Senator Riley: "Mr. President, this is permissive legislation which would allow municipalities to enact a curfew relative to teenagers. The original bill was worded that at age 16, 9 o'clock. This bill would raise the age to 18 and move the hour to 11 o'clock. The Committee felt that it was ridiculous to tell a 17 and 1/2 year old that he must be in by 9 o'clock. The amendment moved the hour up to 11 o'clock, but leaves the age at 16."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator English, for the Committee on Judiciary:

HB 593, to suspend the license of a minor possessing or drinking intoxicating liquor or beverages while driving a motor vehicle. Ought to pass.

Senator English: "Mr. President, two-thirds of the accidents in this state are caused by those in the 16 to 30 year age bracket and result from drinking. Members of the Governor's Highway Safety Committee favor this proposal. There were no opponents. A small amendment changing the word 'revoke' in the title to the word 'suspend' appears on page 1876 of the House Journal."

Senator Martel: "Mr. President, I am also happy to support this legislation and the remarks of Senator English. Only this morning, a member of my organization came in to tell me that his wife was seriously hurt in an accident that she had a few days ago, and will be in traction for several months. She is the mother of five children. The driver of the other car to blame for

the accident had been drinking. We can never be serious enough nor laws too strong for those who make life as miserable as possible for those innocent people injured when travelling. I am very happy to support this legislation and we should do everything to protect our citizens from those who take chances in driving their cars when they have been drinking. I am very happy that this legislation is going through today."

The bill was ordered to a third reading.

Introduction of Guests

As the guests of Senator English, Mr. and Mrs. Harold J. Adams of North Swanzev.

Committee Reports (continued)

Senator English, for the Committee on Judiciary:

HB 667, relating to hearing in enactment of zoning ordinances in towns. Ought to pass.

Senator English: "Mr. President, HB 667 relates to hearings in connection with enactment of zoning ordinances in towns. It spells out the steps that should be taken. There was no opposition. An amendment to the printed bill appears on page 1878 of the House Journal."

Senator English offered the following amendment:

Amend the bill by inserting the following new section 2:

2 Voting Requirements. Amend RSA 31:64 by striking out the same and inserting in place thereof the following:

31:64 Changes in Regulations, etc. Such regulations, restriction and boundaries may from time to time be amended or repealed. In case of a protest against such change, signed by the owners of twenty per cent either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending one hundred feet therefrom, or of those directly opposite thereto extending one hundred feet from the street frontage of such opposite lots, such amendment or repeal shall not become effective except by the favorable vote of two thirds of all the members of the legislative body of such municipality present and voting.

Further amend the bill by renumbering section 2 to read section 3.

Senator English: "Mr. President, the bill in question deals with Section 31:63 of the statutes and the amendment which I have offered relates to Section 64 which was not mentioned in the original bill. The change is in essence extremely minor and my feeling is that it is not necessary, but there seems to be a good reason for it. It adds the words 'present and voting.' "

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Rinden, for the Committee on Judiciary:

SB 128, relating to the waiver of indictment. Ought to pass.

Senator Rinden: "Mr. President, the great majority of our felony offenses in this State are disposed of by presenting the matter to the grand jury which is the usual manner of disposing of these offenses, but by waiving that procedure by a procedure known as waiver indictment. The person charged simply signs a waiver agreement and is brought before the court for arraignment without going through the grand jury, etc. This is the way that we handle most of our felony cases in New Hampshire's court. The purpose of this bill is simply to extend the waiver procedure in some instances, where you cannot do it at present. For example, a person charged with a number of felonies, all of which are in different counties, where he has not been bound over to municipal court. This bill was originally introduced by me at the suggestion of the court in the interest of the more efficient metering of justice."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development:

SB 91, relating to acquisition of abandoned dams by the water resources board. Ought to pass.

Senator Tufts: "Mr. President, this bill proposed to set up an orderly process for the acquisition of abandoned dams by the State of New Hampshire. Through a period of time, these dams become disused and in disrepair and some actual machinery should be set up and this proposes that a commission be set up to examine all the factors involved in the acquisition and disuse of these dams."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development:

HB 452, relative to the Council of Resources and Development. Ought to pass.

Senator Tufts: "Mr. President, this bill does not carry any State appropriation. It merely directs that the heads of our State Departments and Commissions involved with Resources & Development shall meet at least four times a year to talk over whatever suggestions they have which might involve each other. The Committee felt that this was a very good legislation and urges its passage."

Senator English inquired: "Was there a House amendment on this bill?"

Senator Tufts: "Yes. It was printed. It deleted two proposed members of the Council; a mechanical change."

The bill was ordered to a third reading.

Senator Tufts, for the Committee on Resources, Recreation & Development:

HB 631, relative to water resources, flood control, recreation, conservation, navigation and the construction of an inland navigable waterway from Alton Bay on Lake Winnepesaukee to Great Bay. Ought to pass.

Senator Tufts: "Mr. President, this bill does not carry any State appropriation. It has had some mixed feelings by the Committee who voted the bill ought to pass. It was not as unanimous a decision as we have had on bills. This project has been discussed by Senators and Representatives, I would assume, by many deliberations behind us, but the Committee feels that even if it does not appear in our lifetime, this project would be an asset to the State if it ever gets in the ground."

Senator Hunter: "Mr. President, many times, we make jokes of things that are completely futuristic, but I believe that it is well to consider some of the things that can in the future be of great value to the State. This may be such a project. I can point with pride to the Port Authority. They thought it was too far in the future. I would like to have them come down today and see what this has accomplished. There will be many things that will come along. I would appreciate it if you would

consider this thought in that light. It certainly can be of value in the future if it turns out to be something that has some effect and will benefit the State in days to come.

Senator Mitchell: "I have served in the House for two terms and in the Senate, it is my third term. I think this bill takes top honors as far as stupidity goes. 100 thousand dollars cost. Possibly, in 50 years, as Senator Hunter has referred to, we may have the 3 million. We have appointed a Committee of twenty-five and they get no pay. Usually these people who do not get paid do not amount to much. Present people excepted, of course. I shall oppose this bill. If the Committee wishes to clutter up the statutes, it is all right by me."

Senator Hunter inquired: "Why are we here if salary is the main object?"

Senator Blaisdell: "Fellowship."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Health, Welfare & State Institutions:

HB 335, to provide a licensing law for practical nurses. Ought to pass with amendment.

Amend paragraph I of RSA 326:17 as inserted by section 1 of the bill by striking out in line ten the words and figures "January 1, 1966" and inserting in place thereof the words and figures, January 1, 1967, so that said paragraph as amended shall read as follows:

I. Purpose. In order to safeguard life and health, any person practicing or offering to practice practical nursing in this state for compensation shall hereafter be required to submit evidence that he or she is qualified so to practice, and shall be licensed as hereinafter provided. After January 1, 1967 it shall be unlawful for any person not licensed under the provisions of this chapter to (a) practice or offer to practice practical nursing or (b) use any sign, card or device to indicate that such person is a licensed practical nurse.

Amend RSA 326:19 as inserted by section 3 of the bill by inserting at the end thereof the following, or has had equivalent

education in theory and practice as determined by the board, in a school of professional nursing approved by the board, so that said section as amended shall read as follows:

326:19 Qualifications for Applicants. An applicant for a license to practice as a licensed practical nurse shall submit to the board written evidence under oath that the applicant (a) is eighteen years of age or over; (b) is of good moral character; (c) is in good physical and mental health; (d) has completed one year of high school or its equivalent and such other preliminary qualifications as the board may prescribe; (e) and holds a diploma from a school of practical nursing approved by the board of nursing education and nurse registration, or has had equivalent education in theory and practice as determined by the board, in a school of professional nursing approved by the board.

Senator Gardner: "Mr. President, the purpose of this act is to elevate the standards of the practical nurse and guarantee protection to the patient by providing safer nursing care. The House amendment gives more detailed definition of 'practical nursing.' Several members of the Senate who have hospitals employing practical nurses felt there was not sufficient time allowed to comply with all qualifications under section 3. If this act passes, no one will be allowed to practice under the title practical nurse if there are not licensed. They will either be called nurses aides or licensed practical nurses. The first amendment (Section 1) extends the time from January 1, 1966 to January 1, 1967. Some hospitals employ only nurses aides and licensed practical nurses. The duties of the two groups vary. For example, a nurses aide's duties are confined pretty much to charting, taking temperatures, pulse and respiration, baths, making beds and giving enemas, whereas the licensed practical nurse has more responsibility such as preparing equipment, supplies and facilities for patient care; helping the professional nurse; observing and reporting to the appropriate person general physical and mental condition of patients, signs and symptoms which may be indicative of change. The second amendment is to Section 3, sub-section (e). This amendment adds at the end thereof the words 'Or has had equivalent education in theory and practice as determined by the board, in a school of professional nursing approved by the board.' Those who have not completed their training therefore, have not obtained

a diploma from a school of practical nursing. These persons may have had more training than a practical nurse and still not be eligible to take the examination because they did not receive a diploma. There was only one person who appeared in opposition to the bill. The nurses themselves want this. They were well represented. The New Hampshire Hospital Association approves of the amendments. I have every reason to believe the House will concur."

Senator English inquired: "In the case where the practical nurse now who does not have a diploma — there is a reasonable time allowed in which she can take the exam?"

Senator Gardner replied in the affirmative.

Senator Mitchell: "That first amendment — I suggested that when I came to read the bill over. After January 1, 1966, I suggested that that time be extended to 1967—that is practically a year and a half—that is ample time."

Senator Foley: "When this bill first came out, I did have people who objected, but I believe the amendment does take care of these question."

Senator Gardner: "That is why I have held the bill so long, in order that we might meet and come to agreement."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Riley, for the Committee on Health, Welfare & State Institutions:

HB 508, to raise the fees charged for registration or licensing of barbers. Ought to pass.

Senator Howard: "Mr. President, this is a housekeeping bill for the barbers board and it raises the fee from \$2 to \$5. The barbers board appeared in favor and there was no opposition."

Senator Mitchell inquired: "How much will that raise the price of haircuts?"

Senator Howard: "None."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Health, Welfare & State Institutions:

HB 501, to change the qualifications for licensing of a barber. Ought to pass.

Senator Howard: "Mr. President, this is another house-keeping bill. It requires them to spend six months as an apprentice or six months at a barbering school."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Health, Welfare & State Institutions:

HB 609, relative to medical assistance for the aged. Ought to pass.

Senator Gardner: "Mr. President, HB 609 improves the administration of the program. Home visits are essential in the other assistance programs because of need to meet everyday household expenses. However, most persons seeking MAA do so because they must go to a hospital. They have sufficient income for every day necessities, but they are unable to provide for extensive medical care. Because of the nature of the program, no money payments are made directly to the recipients, therefore, less rigid control is needed. Applications may be taken from relatives or friends or from hospital administrator, acting on behalf of the applicant. This act would eliminate the requirement of making home visits. There was no opposition to the bill. Mr. Murphy, Director of Welfare, appeared in favor."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Health, Welfare & State Institutions:

HB 610, to eliminate relative responsibility in the administration of medical assistance for the aged. Ought to pass.

Senator Gardner: "Mr. President, there is strong sentiment throughout the country supporting the proposition that medical needs for the elderly should be met exclusive of any responsibility of close relatives who are, for the most part, unable to make any financial contribution because of their own immediate family obligations. The Director of Welfare appeared in favor of the bill."

The bill was ordered to a third reading.

Senator Riley, for the Committee on Health, Welfare & State Institutions:

HB 124, relating to definition of shellfish. Ought to pass.

Senator Gardner: "Mr. President, this bill takes out incompletely cooked oysters and adds one sentence: "This is not to include crabs, shrimps or lobsters."

The bill was ordered to a third reading.

Senator Gardner, for the Committee on Health, Welfare & State Institutions:

SB 70, relating to dairy herds at New Hampshire Hospital and New Hampshire State Sanatorium. Recommend that the bill be referred to the Legislative Council.

Senator Riley: "Mr. President, at the hearing on this bill, we had a great deal of controversial testimony and much would have to be checked out by the Committee, but at this late date, we did not have an opportunity to do so. The Committee recommends that the bill be referred to the Legislative Council."

Senator Foley: "Mr. President, I had a wonderful speech on cows which will be forever lost to posterity."

On a *viva voce* vote, the recommendation of the Committee was adopted.

Senators Gove, Hunter and Saggiotes, for a Majority of the Committee on Public Works & Transportation:

SB 99, relative to the national system of interstate and defense highways. Ought to pass.

Senators Lamontagne and Riley, for a Minority of the Committee on Public Works & Transportation:

Inexpedient to legislate.

The reports were accepted.

Senator Riley moved that the Report of the Minority, Inexpedient to Legislate, be substituted for that of the Majority, Ought to pass.

Senator Riley spoke in support of the motion:

Mr. President: "This bill will:

(1) Throw the highway bond amortization schedule completely out of balance during the next several years;

(2) The bill is completely out of line with the Governor's recommendations on highways;

(3) The proposed acceleration of the Interstate Program has not been asked for by the highway users who pay the taxes for the work to be done;

(4) The bill smacks of politics.

Senate Bill 99, providing for a \$2.5 million bond issue for the purpose of matching Interstate funds available for the fiscal year 1968, can add another \$2.5 million bonded indebtedness for the biennium 1966-1967, for a possible total for the biennium of \$9 million. This is contrary to the recommendations of the Highway budget passed by the House and by our own Senate early this week, which provides for a \$6.5 million bond issue over the biennium.

The highway budget for 1966-1967, proposed earlier this year by Governor King, recommended a \$5.5 million bond issue over the next biennium in order to place our highway budget on a pay-as-you-go basis. This is best explained in a part of the Governor's address delivered before the New Hampshire Highway Users Conference at its biennial dinner held in Concord on February 2, 1965. This section of his address is as follows:

When the Interstate Program was launched in 1956, a practice was developed whereby bonds were issued annually to meet the difference between what the State took in from highway user taxes and the amount needed to match Federal Aid. During the period, it has been the policy of the State to use the bond money only for construction and not for operating expenses of the Highway Department.

In recent years, the Highway Fund has been falling behind in its debt service amortization by about 4 million dollars each biennium. This cannot go on indefinitely, particularly if we are to complete this accelerated program by 1972 in a solvent condition. At this time it is anticipated that a new Federal Aid highway program may be launched, in which case our State should be in a sound condition financially to consider participation.

Therefore, I am recommending to our Legislature that the \$10 million of bonds requested by our Department of Public Works & Highways in 1966-1967 be reduced to \$2.5 million in 1966 and \$3 million in 1967.

I am further recommending that the revenues of the Motor Vehicle Division, excluding the gasoline tax, be increased by at least \$1 million yearly. In combination, these recommendations will provide that the total bonded debt of the Highway Fund will remain constant at the present level.

The budget, as presented, will in no way slow up the highway construction program as scheduled. It is my prediction that we can complete this Interstate Program and other scheduled improvements on the A-B-C systems by 1972 without additional taxation, provided that no additional burdens are placed on the Highway Fund and that the program is not accelerated beyond the present schedule established by the U. S. Bureau of Public Roads.

Any program to accelerate the New Hampshire Interstate Highway Program for completion before 1972 would mean more bond issues and an increase in gasoline taxes to amortize the bonded indebtedness. The piling up of bond indebtedness is deferred taxation with interest.

A crash program to construct in two or three years highways that are programmed over the next eight year period would result in a feast and famine condition for road builders. It could result in higher engineering costs and poorer workmanship. Our Highway Department is not geared to undertake such a program, and it would be necessary to farm out many of the engineering projects now being performed within the Department.

The New Hampshire Highway Users Conference that evening submitted a statement of its policies and program, part of which relates to highway progress and needs. On this subject, the Conference states:

New Hampshire stands 5th among the states in carrying out its part of the Interstate Highway Program. Its citizens have reason to be proud of the outstanding progress made in improvement of our highways in recent years. We would welcome still faster accomplishment, but are limited in dollar resources. We believe the most practical and realistic course for the future will be to match all Federal aid monies for both Interstate and A-B-C systems as they become available, rather than try to outdistance the Federal timetable.

I am advised that this section of the Program is a re-iteration of a statement adopted by the Conference two years ago as a result of an earlier attempt four years ago to accelerate the Interstate Program beyond the schedule established by Congress.

The Conference program was endorsed by twenty statewide organizations including such groups as Automobile Legal Association, Gasoline Retailers, N. H. Farm Bureau, State Grange, and Truck Owners.

The Conference groups also included in their program no opposition to an increase in registration fees on passenger cars this year provided it was to be used for reducing the bonded indebtedness over the next biennium, help pay for salary increases, and to add more state troopers.

I hesitate today to charge that this bill smacks of political ambitions. It is apparent that our colleague from Hanover has introduced this bill as the result of a promise made to his constituents last Fall to the effect that if elected he would speed up the construction of Interstate 95 to Lebanon. Construction of this important route as rapidly as possible is, of course, an admirable objective. However, its completion is not so urgent as to require a special issue for the project at this time. It is my understanding from conversations which I have had with Commissioner Morton that the completion of this section of the Interstate System is already scheduled to go ahead as quickly as possible. There will be no delay because of lack of money. The only delay is the physical problem of building the road itself, such as by-passing New London and doing the actual construction work.

There is another bill pending in the House of a similar regional nature. It is House Bill 671 to accelerate construction of Route 16 from the end of the Spaulding Turnpike at Rochester to Milton Mills. This bill provides also for a bond issue in the amount of \$7.5 million. If this bill and SB 99 are passed, they would, in effect, add \$10 million in bonds to our Highway budget for the next biennium, or a total of \$16.5 million when the bonds already recommended in the budget, as passed, are put into effect. Such fiscal irresponsibility can only lead to trouble later.

The Department of Public Works & Highways has published a booklet entitled, "The Outlook for Financing New

Hampshire's Highway Construction Program—1965-1972." This outstanding study shows that we can complete New Hampshire's share of the Interstate Highway Program, as scheduled, with only a \$30 million net bonded indebtedness at the end of the period. This is provided that the increase in registration fees, as passed by the House, is approved and also provided there are no further interest burdens placed on the Highway Fund. For this, we will have made a capital expenditure in new highways during the life of the Interstate Highway Program and accelerated building of Federal Aid primary, secondary and urban highways during 1956-1972 of \$430 million. This is certainly a record to be proud of.

There will be a period during 1969 when the high point will be reached with outstanding bonds of \$40 million. We should not add to this by approving more bond issues than necessary to complete the program on schedule.

It has been suggested that it may be necessary before the completion of the Interstate Program in 1972 to issue some more bonds in order to get the Interstate system finished by 1972. May I remind you that there will be three more sessions of the Legislature before the completion date when action on additional bonds can be taken, if needed. In the meantime, there is no assurance that on a nation-wide basis the Interstate Program will be completed by 1972. In the first place, as mentioned earlier, we are fifth in the country in the percentage of the system completed and open to traffic. That is a far cry from being among those towards the bottom of the list. In other words, we are relatively well off. Furthermore, the Federal Government itself may not be able to meet its own schedule because of financial difficulties. As a result of re-estimates on the cost of completing the Interstate system, it is anticipated that there will be a \$3 billion deficit in the Federal Highway Trust Fund by 1972 unless additional revenues are found. There are some who say the deficit may run as high as \$6 billion. President Johnson has recommended some new taxes which will bring in some \$200 million a year and has also suggested that the program be stretched out so that the Federal Government can meet its commitments. Therefore, I see no reason why we, at this time, should burden ourselves further than is necessary to speed up what is already an accelerated and crash program of highway construction.

Mr. President—For the reasons I have given, I hope the Senate will vote against Senate Bill 99.

Senator Bergeron inquired: "Do you gain or lose federal funds by this bill?"

Senator Riley replied: "Neither."

Senator Johnson: "Mr. President, as the Senator from the 17th District has said so many times, when he enters the doors of this Chamber, he is not a member of either Party. I am happy to see that Senator Riley has also taken that position this morning. This bill was introduced after a great deal of study the past 2 years concerning Interstate 89 which runs from Concord to Lebanon. This road at the present time, runs no where to no where. There is a section of this road which is a great investment by the State, which is of no use to the State at this time. I have described this as putting money into a hole, that is it, as this road sits there, it has to be maintained and there is a great cost to the State if this road is not completed. This road is of no value to the State until it is finished. I talked with Commissioner Morton when I came down here last summer about this particular bill. He advised me that it could not be completed in any particular time. But he told me it was possible to have all the contracts let and by June of 1968, this road would be finished. Why do we want this bill here? Through this bill, it will be possible for Commissioner Morton to say to the persons in Lebanon that 89 will be finished by June of 1968. That is the important thing to us, in order that we may go out and find people who are looking for a place in which to settle an industry. We can tell them that there will be a connection between Lebanon and Boston. This bill was drafted by Jack Flanders of the Highway Dept. who said that we need this bill. We must have this bill passed. Commissioner Morton says that this is good legislation. This bill will set up a procedure whereby if there is a need by the Highway Dept. to take funds—the best estimate is that they will run 2 million dollars short in the next biennium, which means that the road will still be of no good to us. This would be a cost of 6 thousand dollars, for this amount, we can go out on the market and tell them that these contracts will be let in the next bi-ennium, and the road will be finished. So for 6 thousand dollars we can help Lebanon. I think it is perfectly obvious that after the fire and the closing of the Goldfine mills that Lebanon needs help. This bill is de-

signed only for the Interstate Highway system. Commissioner Morton tells me that they must have a bill of similar nature some time because the federal government has told them that this must be completed by 1971 and the bills all paid by 1972. If this bill should pass, there will be funds available so that we can get the federal funds by 9/10 if we put up the 1%. This will authorize the bonds if the funds in the next 2 years are not available. The estimate will be that we will be 2 million dollars short. For 6 thousand dollars' cost, it seems to me that this is a small price to pay for us to go out now and talk with the possibility of being able to offer them a road from Lebanon to Boston. You have here a bill which has the support of the Commissioner of Highways. A bill that was drafted by a Deputy Commissioner, and a bill which if it is not passed this session, it must be in the next session. It is a very important bill for Lebanon and I think it should be passed."

Senator Gove: "Mr. President, I don't think that I can add a great deal to the presentation of Senator Johnson. I think he has covered it very thoroughly. I would like to restate the point that at some time they will have to have some authorization of the Legislature to augment the program by at least one year. We think favorably on the 9 to 1%. This would appear to me to be one more tool to see that this thing is cleaned up on schedule."

Senator Hunter: "Mr. President, I would like to add some information. Having an engineering background, there are two things; one, our cost of construction rises. 5 to 6% each year. At the rate of State borrowing money, we will be saving money to pass the bill today. Another thing, this anticipated bill in the federal government, that will maybe prolong this 90-10 funds after 1972. I am afraid that there may be things come up — particularly a war — if we can get this thing started, we will be saved the embarrassment of having these two roads who do not go anywhere. I might speak about the Kangamangus Highway. It took a long time to close the two ends. That has been accomplished and we have a beautiful highway there now."

Senator Riley: "The original request of the Highway Dept. was for 10 million dollars. I called Commissioner Morton and he informed me yesterday that Senator Johnson requested him to draw up this legislation. That it is not a bill for the Highway Dept. They felt that it is good legislation and they are not

against it. Senator Johnson talks about the cost of this — 5 or 6 thousand dollars, but what is 3% interest on 21½ million dollars. That is quite a sum of money.”

Senator Johnson: “This is a 21½ million dollar authorization. The best estimate. Commission Morton is in error. I asked Jack Flanders to draft this bill for me. He told me that he already had a bill that would have been introduced in this session or the next one. The bill was passed over to me next morning, already drafted and that is the bill that was put in.”

(Discussion ensued)

Senator Riley requested a two minute Recess. Request granted by the Chair.

(Recess)

The Senate re-assembled.

Question being on motion to substitute.

Senator Saggiotes: “Mr. President, One of the objectives of the bill is the fact that to give this program good continuity, sometimes you need some extra money. We ran out of money, had all of our work under contract under 1965 funds, and we have one major job in Lebanon to complete. That job runs into \$2.5 million. We have it all designed, advertised and we take bids this week. We cannot award this job until after the 1966 funds become available. We could have advertised this in January or February and had it under contract earlier but the way our finances are set up, we have to wait until the next year’s appropriation from the state: Federal funds are available to us.

“If we go ahead this way, we will complete from Warner to Grantham Interstate 89 and there may be other areas but we find ourselves in the bind every once in a while that we would like to put a job in and to correct a gap and make a useable section. We are handicapped because we don’t have the appropriation to do it with — the State appropriation. It gives us more continuity in certain areas.”

On a *viva voce* vote, the affirmative prevailed, and the motion to substitute was lost.

On a *viva voce* vote the bill was ordered to a third reading.

Committee Reports (continued)

Senator English, for the Committee on Education: HB 585, relative to the Monadnock Regional School District. Ought to pass.

Senator English: "HB 585 relates to the problems of the Monadnock Regional School District. The House offered an amendment which appears on page 2031 and page 2032 of the House Journal. The amendment now constitutes the bill.

"It provides that a joint committee of five be appointed, 2 by the Speaker of the House from residents in the district, 2 by the President of the Senate also from residents of the district, and one by the Governor from the employees of the Department of Education, to study chiefly into the financial difficulties in the district.

"I had a few words of conversation with Senator Blaisdell about this bill before the session opened and there was some confusion. This bill which we had some question about is completely re-written and I believe he has the amended pages now which simply changes a plan to institute a study group."

Senator Blaisdell: "No question."

The bill was ordered to a third reading.

Senator Lamprey presiding.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: SB 104, to regulate the practice of land surveying. Ought to pass with amendment.

Amend paragraph I of RSA 319-A:4 as inserted by section 1 of the bill by inserting in line two after the word "engineering" the word, forestry; further amend the paragraph by striking out in line six the word "in" and inserting in place thereof the word, including, so that said paragraph as amended shall read as follows:

I. Graduation in an approved engineering, forestry or surveying curriculum of two years or more as approved by the board as of satisfactory standing including the completion of an approved course in surveying and an additional four years or more of experience including land surveying of a character satisfactory to the board and indicating that the applicant is competent to practice land surveying; provided, that in a case where the evidence of experience presented in the application

does not appear to the board conclusive nor warranting the issuing of a certificate of registration, the applicant may be required to present further evidence for the consideration of the board, and also may be required to pass an oral or written examination, or both, as the board may determine; or

Amend paragraph IV of RSA 319-A:4 as inserted by section 1 of the bill by striking out the words "essentially full time" in the third line and inserting in place thereof the words, for a substantial portion of his time, so that said paragraph as amended shall read as follows:

IV. A year of practice as used in this chapter shall be a year during which an applicant was engaged for a substantial portion of his time in responsible surveying work. Work in a survey party solely as a rodman, chain man, or transit man shall not be considered as practice of land surveying.

Amend RSA 319-A:5 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

319-A:5 Registration of Present Practitioners. Any person, resident of this state or an adjacent state where registration is not required and eligible for registration, who within two years after the effective date of this chapter, files with his application for registration as a land surveyor his affidavit stating that he was actively engaged in the practice of land surveying in this state for an accumulative period of at least one year prior to the effective date of the chapter, and includes in the affidavit the names and addresses of five references, of whom two shall be professional engineers engaged in land surveying, or land surveyors having personal knowledge of his land surveying experience, shall be eligible for registration as a land surveyor without written examination, and may be registered by the board providing the references are satisfactory and he presents satisfactory evidence proving that he is competent, and he is otherwise qualified. This section shall expire and be of no effect on and after two years next following the effective date hereof.

Amend RSA 319-A:7 as inserted by section 1 of the bill by inserting after the word "engineering" in the second line the word, forestry, so that said section as amended shall read as follows:

319-A:7 Education Credits. The satisfactory completion of each year of an engineering, forestry or surveying curriculum in a school or college approved by the board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of experience in paragraph II of section 4, provided however, that no applicant shall receive credit for more than two years of experience because of undergraduate educational qualifications.

Amend RSA 319-A:13 as inserted by section 1 of the bill by striking out the last sentence and inserting in place thereof the following new sentence, Nothing herein shall prevent the filing or recording of any map, plat, survey or other document purporting to set out and describe the location of any bounds or monuments prepared by an individual engaged in surveying related to the practice of forestry in the management and operation of forest lands, so that said paragraph as amended shall read as follows:

319-A:13 Duties of Registers of Deeds. It shall be unlawful for the register of deeds of any county or any proper public authority to file or record any map, plat, survey, or other document within the definition of land surveying, which does not have impressed thereon, and affixed thereto, the personal signature and seal of a registered land surveyor by whom the map, plat, survey or other document was prepared. Nothing herein shall prevent the filing or recording of any map, plat, survey or other document purporting to set out and describe the location of any bounds or monuments prepared by an individual engaged in surveying related to the practice of forestry in the management and operation of forest lands.

Further amend the bill by inserting at the end of RSA 319-A:15 as inserted by section 1 of the bill by adding the following new paragraph:

IV. The practice of any other legally recognized profession or land surveying of wild lands or wood lots by the owners thereof or their employees, agents or licensees.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Appropriation. In addition to other monies appropriated for the use of the board of registration for professional engineers the sum of two thousand five hundred dollars is hereby appropriated, for the fiscal year ending June 30, 1966 and a

like amount for the year ending June 30, 1967, for expenditure by the board of registration for professional engineers and land surveyors for administration of RSA 319-A as inserted by this act; and such sums shall be a charge upon the Professional Engineers Fund.

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

Senator Buchanan: "Mr. President, I would like to say that this is the result of some very hard work on the part of two interested parties who came to our original hearing at cross purposes. Briefly, the bill was introduced at the request of some engineers in the Portsmouth area because presently there is no statute to regulate land surveying. We were shown some plots in the Portsmouth area, the purchase of which would be disastrous to the purchaser. The bill was well drawn, but there was special opposition by the forestry people in New Hampshire. While the forestry people did not object to the engineers and surveyors, they did object to some portions of the bill which regulated the forestry industry, particularly in the north country. . . ."

Senator Hunter spoke in support of the bill and amendment: "Mr. Durgin and Mr. Waldo of the Franconia Paper Company met for discussion, etc. and the amendment is favorable with them."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to dispense with referral of the above entitled bill to the Finance Committee in view of the fact that only \$2500 was involved and like most of these boards, they pay their own way with license fees, membership fees and examination fees. No cost to the State whatsoever.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments:

HB 453, to permit interchange of government employees. Ought to pass.

Senator Buchanan: "Mr. President, this bill was introduced at the request of the Dept. of Agriculture. It provides for interchange of employees on the State and Federal level. This has been approved by the Attorney General's office and the Personnel office. There is no appropriation and there was no opposition."

(discussion ensued)

On motion of Senator Buchanan, further consideration of the above entitled bill and Committee Report was made a Special Order of Business for Wednesday next at 11:01.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments:

HB 673, legalizing the proceedings at town meetings March 12, 1963, March 10, 1964, June 24, 1964 and March 9, 1965 in the town of Lincoln. Ought to pass.

Senator Buchanan: "Mr. President, this is the usual legalizing procedure bill. An article in the Town Warrant authorized the Selectmen to apply for a loan not to exceed \$120,000. Because of the time lapse, the HHFA has suggested these meetings be legalized and it would not be necessary for them to hold a special town meeting."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments:

HB 706, relative to the Dover city charter. Ought to pass.

Senator Buchanan: "Mr. President, this is a housekeeping amendment itself. The City Charter in the City of Dover—did not provide for absentee ballots in City elections. This bill will give them the privilege that is enjoyed by many cities in the State."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments:

HB 707, relating to property holdings by the people called Friends or Quakers. Ought to pass.

Senator Buchanan: "Mr. President, this would increase the amount of their authorized holdings to enable them to accept the gift of money to purchase a meeting house."

The bill was ordered to a third reading.

Senator Buchanan presiding.

Special Order of Business for 11:01

Senator Lamprey called for the Special Order.

It being: HB 562, relative to campaign exepnses in presidential preference and delegate primaries. Inexpedient to legislate.

Senator Lamprey inquired of Senator English: "In effect, this bill would only take off the spending limitation?"

Senator English replied: "That is my understanding."

Senator Lamprey: "Mr. President, I would like to speak to that because I have some very strong feelings on the present laws that exist on presidential preferential primaries. The present limitation of \$25,000 for candidate, \$5,000 for delegate and \$2500 for District Delegate is ridiculous. I would like to submit that for a campaign to be run today, these figures are completely unrealistic. I would question whether any serious candidate could participate and do it honestly under the present law, if there is a contest. I think to fix this present limitation is going to perhaps mean that in the future, because of some of these contests that may exist may limit these primary candidates from coming into New Hampshire. You cannot run a campaign as a Delegate for \$5,000. At least a candidate should have the rights, if he wishes, to run for this office, to get out a state-wide mailing. At the present time, a serious candidate has to find some way to get around this act. I would like to have it removed. It is not very often that I speak against a Committee Report. I understand that this matter was recommended and unanimously voted as a recommendation by the Legislative Council. I would like to have these points brought out. If I had not made a speech about this, then I would make a motion to substitute."

Senator Martel stated: "Mr. President, I am happy to make this motion that the words, Ought to Pass, be substituted for the Committee Report, Inexpedient to legislate. I concur with the remarks of Senator Lamprey. I feel that we may as well be

honest about this thing. There is no question but what some have abused this statute and in the light of what we have heard, I feel that we might as well adopt this bill and be consistent with the actual practice that goes on."

Senator Blaisdell spoke in support of the motion to substitute.

Senator Johnson spoke in support. Also Senator Tufts.

Senator English: "Mr. President, House Bill 562 relative to campaign expenses in presidential preference and delegate primaries would not seem to improve the situation with regard to these campaign expenses, therefore the 'inexpedient' report. It had no support at the hearing."

Senator Lamprey: "I appologize to the Chairman of the Judiciary Committee because I do have strong feelings on this matter."

On a *viva voce* vote, the motion to substitute carried.

The bill was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 49, An Act to increase the limit of outstanding borrowing by the state.

HB 661, An Act relative to the New Hampshire Congregational Christian Conference.

HB 595, An Act to provide for registration of and service of process upon foreign partnerships.

Eda C. Martin
for the Committee.

The report was accepted.

Resolution

On motion of Senator Martel, the following Resolution was adopted:

Whereas, Senator Thomas J. McIntyre, acting for himself and on behalf of Senator Norris Cotton and Congressman J.

Oliva Huot, has been instrumental in amending the Excise Tax Reduction Act to exempt the New Hampshire Sweepstakes from federal taxation; and

Whereas, President Johnson has signed this Act into law with this amendment incorporated into it; and

Whereas, The resulting exemption of the New Hampshire Sweepstakes from federal taxation will produce hundreds of thousands of dollars annually for education in our State; now, therefore, be it

Resolved, That Senators McIntyre and Cotton and Congressman Huot be congratulated by the State Senate for their good work in obtaining this exemption; and be it

Further Resolved, That a copy of this Resolution be sent to Senator McIntyre, Senator Cotton and Congressman Huot.

Bill Recalled from the Governor

On motion of Senator Martel, the following entitled bill was recalled from the Governor:

HB 500, relating to hospital survey and construction

On motion of Senator Riley the Senate voted to reconsider its vote whereby it ordered the above entitled bill to third reading and final passage.

Senator Martel: "Mr. President, I believe there may be an opportunity to offer an amendment to this bill."

The bill being on its second reading, was open to amendment.

On motion of Senator Martel, the above entitled bill was laid upon the table, in order that an amendment might be prepared.

On motion of Senator Martel, the rules were suspended to permit all business in order for 2 o'clock this afternoon to be in order at the present time.

Afternoon Session

Third Reading & Final Passage of Bills

SB 91, relating to acquisition of abandoned dams by the water resources board.

SB 99, relative to the national system of interstate and defense highways.

SB 104, to regulate the practice of land surveying.

SB 128, relating to the waiver of indictment.

HB 124, relating to definition of shellfish.

HB 260, relative to private ownership liability exemption.

HB 335, to provide a licensing law for practical nurses.

HB 452, relative to the Council of Resources and Development.

HB 501, to change the qualification for licensing of a barber.

HB 508, to raise the fees charge for registration or licensing of barbers.

HB 562, relative to campaign expenses in presidential preference and delegate primaries.

HB 570, relative to the sale of sweepstakes tickets.

HB 585, relative to the Monadnock Regional School District.

HB 591, to extend the curfew regulations.

HB 593, to suspend the license of a minor possessing or drinking intoxicating liquor or beverages while driving a motor vehicle.

HB 609, relative to medical assistance for the aged.

HB 610, to eliminate relative responsibility in the administration of medical assistance for the aged.

HB 631, relative to water resources, flood control, recreation, conservation, navigation and the construction of an inland navigable waterway from Alton Bay on Lake Winnepesaukee to Great Bay.

HB 667, relating to hearing in enactment of zoning ordinances in towns.

HB 673, legalizing the proceedings at town meetings March 12, 1963, March 10, 1964, June 24, 1964 and March 9, 1965 in the town of Lincoln.

HB 703, relative to revocation of hunting licenses for conviction by court of another state.

HB 706, relative to the Dover city charter.

HB 707, relating to property holdings by the people called Friends or Quakers.

On motion of Senator Foley, the Senate adjourned at 2 p.m.

WEDNESDAY, June 23, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guests of the Senate, in the gallery, the wife of our Assistant Clerk, Mrs. Wilmont White, and two sons, Joel and Jeffrey, and friends, Charles and Tommy Visser.

As the guests of Senator Gove, his youngest daughter Sally, and daughter Julia.

As the guests of Senator Martin, Rowell Fogg and his son John Fogg of Littleton. Mr. Fogg is the owner of the Littleton Steam Laundry, one of the finest laundries in the north country.

As the guests of Senator Lamontagne, Representative Donald Williams and son Donnie of Berlin.

As the guest of Senator Tufts, a nephew from the desert area of California, several time record holder in high school, Christopher Tufts.

House Message — First & Second Reading of Bills & Joint Resolution

HB 37, relative to the relocation of a portion of the Central New Hampshire Turnpike. Referred to Joint Finance and Public Works & Transportation.

HB 43, making appropriations for county extension agents. Referred to Finance.

HB 90, relative to the department of agriculture and to the agricultural advisory board. Referred to Agriculture.

HB 131, for the election of county commissioners for the county district of Cheshire County. Referred to Executive Depts., Municipal & County Governments.

HB 139, providing appropriation for administration of the milk sanitation code. Referred to Finance.

HB 207, relative to assessors in the city of Rochester. Referred to Executive Depts., Municipal & County Governments.

HB 264, to authorize payment of twenty-two thousand dollars as state's contribution to costs of modification and maintenance of New England Exhibit of World's Fair. Referred to Finance.

HB 285, relating to an additional bounty on porcupines. Referred to Fisheries & Game.

HB 509, creating an office of community recreation service. Referred to Finance.

HB 592, providing additional retirement allowances for certain retired state employees. Referred to Executive Depts., Municipal & County Governments.

HB 708, enabling the Association of Universalist Women of Manchester, N. H. and Branch Alliance of the First Unitarian Church of Manchester, N. H. to consolidate into one corporation named, Unitarian-Universalist Women's Guild. Referred to Executive Depts., Municipal & County Governments.

HB 709, enabling the First Universalist Society of Manchester, N. H. First Unitarian Society of Manchester, N. H. and Unitarian-Universalist Church of Manchester, N. H. to consolidate into one corporation named, Unitarian-Universalist Church of Manchester, N. H. Referred to Executive Depts., Municipal & County Governments.

HB 712, to make an apportionment of representatives to the general court. Referred to Executive Depts., Municipal & County Governments.

On motion of Senator English, the rules were suspended to dispense with referral to Committee, holding of public hearings, and the above entitled bill was taken up at the present time.

Senator English: "Mr. President, this is the re-apportionment bill in the House. The House has done an heroic job in bringing about this re-apportionment. They have apparently agreed that if we do not attempt to alter their House bill, they will not attempt to alter the re-apportionment bill of the Senate. I think in the interests of all concerned, we should pass this bill at this time."

Senator Martel: "Mr. President, I am also very happy to support this motion at the present time. The House does as it concerns itself — that is their business. As I have expressed earlier in the session, I felt that the House would leave it as we had approved it. I therefore feel that we should offer the same courtesy to the House."

Senator Gardner: "Mr. President, I am very happy to agree with the Senator from the 17th District."

Senator Buchanan spoke in support of the motion. Also Senator Mitchell.

On a *viva voce* vote, the motion to suspend the rules carried.

The bill was ordered to a third reading.

On motion of Senator English, the rules were suspended and the above entitled bill was ordered to a third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 712, making an apportionment of representatives to the general court.

On motion of Senator English, the Senate refused to reconsider its vote on the above.

House Message

First & Second Reading of Bill and Joint Resolution

HB 713, relative to the application of motor vehicle laws to certain non-public ways. Referred to Public Works & Transportation.

HJR 1, providing an appropriation toward reconstruction of Fort at Number Four. Referred to Finance.

On motion of Senator Saggiotes, the rules were suspended to dispense with referral to Committee, holding of public hearings, and the above Joint Resolution taken up at the present time.

Senator Blaisdell spoke in support of the motion. Senator Buchanan wished to be recorded as being in support of the motion.

The motion to suspend the rules carried.

The Joint Resolution was ordered to a third reading.

On further motion of Senator Saggiotes, the rules were suspended and the Joint Resolution was placed on third reading and final passage at the present time.

Third Reading & Final Passage of Joint Resolution

HJR 1, providing an appropriation toward reconstruction of Fort at Number Four.

House Message (continued)

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 728, relating to full time employees of approved public academies. Referred to Executive Depts., Municipal & County Governments.

HB 731, relative to solitation of funds for religious, benevolent or philanthropic purposes. Referred to Banks, Insurance & Claims.

HB 266, relative to the disposal of garbage and refuse.

HB 299, to remove employees working under the federal minimum wage law from the provisions of the minimum hourly rate, and to remove children working for their parents, and spouses working for each other, from the provisions of the minimum wage law.

HB 389, to provide for the use of distinctive flags or distress signals by handicapped or paraplegic operators of motor vehicles.

HB 448, relating to the custody and escheat of unclaimed and abandoned property.

HB 457, relative to the salary of the sheriff of Cheshire County.

HB 552, relative to benefits and taxing provisions under the unemployment compensation law.

HB 555, relative to payment of fees by foreign corporations.

HB 579, increasing penalties for violations of rules and regulations at forests and reservations.

HB 625, relating to operators' and chauffeurs' licenses, the age of school bus operators, and conduct after a motor vehicle accident.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bill and joint resolution:

HB 655, to adjust sick leave of state police injured in line of duty.

HJR 24, providing for the commission on interstate cooperation.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill and joint resolution, sent down from the Senate:

SB 109, relative to firemen's retirement system.

SJR 11, in favor of Violet G. Lemon.

The Message also stated that the House concurs with the Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment, the House asks the concurrence of the Senate:

SB 66, entering into the interstate compact on the placement of children enacting the same into law and for related purposes.

Amend RSA 170-A:6 as inserted by section 1 of the bill by striking out the section and inserting in its place the following:

170-A:6 Designation of Administrator. The chief of the Bureau of Child Welfare shall serve as compact administrator in accordance with the terms of said Article VII.

On motion of Senator Gardner, the above bill and proposed amendment was laid upon the table.

The Message further stated that the House has voted to accede to the request of the Senate for a Committee of Conference on the following entitled bill: SB 57, relative to classification of the permanent positions of senior psychiatrists at the N. H. Hospital and relative to the power of the Governor and Council to fix salaries of unclassified positions and the Speaker has appointed as members of said Committee on the part of the House: Representatives Hancock of Concord; Clark of Lee; and Hartigan of Rochester.

Introduction, First & Second Reading of Senate Bill

SB 133, relating to temporary loans in anticipation of the incurrence of long term debt. (Rules) Referred to Executive Depts., Municipal & County Governments.

On motion of Senator Buchanan, the printing of the above entitled bill was dispensed with.

On motion of Senator Riley, the rules were suspended to permit the introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

SB 81, relative to the establishment of a state rifle range. Ought to pass with amendment.

Amend section 1 of the bill by inserting after the word "development" in the third line the words, through the public works division of the department of public works and highways, so that the section is amended to read:

1 Study Authorized. The office of planning and research in the division of economic development through the public works division of the department of public works and highways shall make a location search, feasibility study, and development plan leading to the establishment of a state rifle range and park facility.

Amend the bill by striking out section 2 and inserting in its place the following:

2 Study Commission Established. There shall be a study commission composed of the adjutant general, director of the state police, director of the department of fish and game, director of state parks, director of the office of planning and research, administrator of public works and six members appointed by the governor and council one of whom shall be a member of the house of representatives, one of whom shall be a member of the senate and four of whom shall be from the public at large. The committee shall assist the office of planning and research in its search for a site, evaluation of feasibility, recommended plan for development, and method of financing. The members may be reimbursed for actual travel and other expenses.

Amend section 4 of the bill by striking out the word "nine" in the first line and inserting in its place the word, one, so that the section is amended to read as follows:

4 Appropriation. The sum of one thousand dollars is hereby appropriated for the purposes of this act and the governor is authorized to draw his warrant for said sum from any money in the state treasury not otherwise appropriated.

Senator Riley: "Mr. President, this bill was amended by the Finance Committee to change the appropriation from \$9,000 to \$1,000. The Dept. of Public Works & Highways have agreed to do the survey for which the difference of \$8,000 was to be used for."

On motion of Senator Riley, the reading of the amendment was dispensed with.

Senator Howard: "He appeared before our Committee on the original bill and I would like an explanation of the amendment.

Senator Riley: "Mr. President, due to shortage of funds, we were unable to get the appropriation \$9,000, so in order to save the bill, the Public Works Dept. agreed to do the survey work, etc. We feel the \$1,000 is sufficient to carry on the purpose of the bill."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of the same Senator, the rules were suspended and the above entitled bill was ordered to a third reading and final passage at the present time.

Third Reading & Final Passage of Bill

SB 81, relative to the establishment of a state rifle range.

On motion of Senator Riley, the Senate refused to reconsider its vote on the above entitled bill.

Senator Riley expressed his thanks to his many friends.

Committee Reports

Senator Tufts, for the Committee on Resources, Recreation & Development:

SB 117, relating to house boats on Conway Lake. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

relating to house boats on Conway Lake and
Silver Lake in Madison

Amend section 1 of the bill by striking out same and inserting in place thereof the following:

1 Conway Lake and Silver Lake in Madison. Amend the title of RSA 486:3 by striking out the same and inserting in place thereof the following, Squam and Conway Lakes and Silver Lake in Madison; amend said section by inserting after the words "Squam Lake" in the second line the words, or Conway Lake or Silver Lake in Madison; further amend said section by striking out in line four the word "lake" and inserting in place thereof the word, lakes, so that said section as amended shall read as follows: 486:3 Squam and Conway Lakes and Silver Lake in Madison. No person shall at any time place in or upon, or use, or operate upon, Squam Lake or Conway Lake or Silver Lake in Madison any house boat. Whoever violates any provision of this act shall be fined not more than fifty dollars. Board of health and health officers of towns abutting said lakes shall have power and authority to enforce the provisions hereof.

On motion of Senator Tufts, the reading of the amendment was dispensed with.

Senator Tufts: "Mr. President, the amendment was printed in yesterday's Journal. It is a very minor amendment, but it runs to a great deal of length. The amendment merely adds to the title and to the bill, the body of water called Silver Lake in the town of Madison."

The amendment was adopted.

Senator Tufts: "Mr. President, this bill will add to the laws of the State of New Hampshire, the exclusion of house boats on Conway Lake. These lakes are small lakes. Testimony showed that one house boat that was on Squam lake was wrecked on the rocks. The feeling was that if house boats were allowed, there would be a problem of sewage and the throwing of trash and rubbish into the lake. I would hope that the bill would pass."

The bill as amended was ordered to a third reading.

Senator English presiding.

Committee Reports (continued)

Senators Hunter, Blaisdell & Riley, for the Majority of the Committee on Fisheries & Game: HB 229, relative to time for taking deer. Inexpedient to legislate.

Senators Mitchell & Rinden, for a Minority of the Committee on Fisheries & Game: HB 229, relative to time for taking deer. Ought to pass.

The reports were accepted.

Senator Mitchell moved that the report of the Minority, Ought to pass, be substituted for the report of the Majority, Inexpedient to legislate.

Senator Mitchell spoke at length in support.

Senator Blaisdell spoke in opposition to the pending motion.

Senator Lamontagne spoke in support of the motion.

Senator Martin spoke in support of the pending motion.

Senator Buchanan spoke in opposition to the pending motion.

Senator Martel spoke against the motion.

(Discussion ensued)

Senator Riley spoke at length in support of the motion and showed charts and graphs to prove his point.

Senator Hunter spoke against the motion and in support of the Committee Report, Ought to pass.

Senator Buchanan commended Senator Riley for the tremendous amount of work and research that he done in connection with this bill.

Senator Riley stated that he had really not done much — he had simply gone to the Game Dept. and asked for information and they had supplied all the charts. etc.

Senator Martel stated he wished to publicly commend Senator Riley for his modesty in not accepting such praise and being so honest in not taking credit for something which he had not done.

Senator Mitchell demanded a Roll Call on the question of substitution.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Senators Lamontagne, Martin, Mitchell, Lamprey, Johnson, Gardner, Howard, Rinden, Provost, Waterhouse.

The following named Senators voted in the negative: Senators Saggiotes, Gove, Blaisdell, Buchanan, Riley, Martel, Bergeron, Tufts, Hunter and Foley.

Ten Senators having voted in the affirmative, and eleven Senators having voted in the negative, the negative prevailed, and the motion to substitute was lost.

The recommendation of the Committee, Inexpedient to legislate, was adopted.

On motion of Senator Buchanan, the Senate refused to reconsider its vote on the above motion.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 576, to establish the city of Exeter. Ought to pass with amendment.

Amend said bill by striking out section 12 and inserting in place thereof the following:

12 House of Representatives. Members of the house of representatives elected from the town of Exeter in office when this charter is adopted shall serve as such members for the remainder of the term for which elected as members at large from the city of Exeter. Thereafter the city of Exeter shall be entitled to the number of representatives apportioned to the city. Said representatives shall be elected at large until the general court shall apportion the representatives for each ward.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5 Municipal Elections. The city shall hold an annual municipal election on the Tuesday following the first Monday in November. In the even numbered years when the municipal election is held on the same day as the state biennial election is held a special warrant for the municipal election shall be posted. At each state biennial election held on that date each ward of the City of Exeter shall elect by ballot a moderator, a ward clerk and three supervisors of the check-list who shall hold office for two years and until their successors are elected and qualified.

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

Senator Buchanan, "Mr. President, the amendment is printed on page 1290 of today's Journal. It merely provides continuation in office of the present members of the House of Representatives in the event that the town of Exeter becomes a city. It also provides for future election of Representatives to the House if there is a new city of Exeter. Other than that, the Report of the Committee as it was before this simply authorizes the referendum for the town of Exeter to see if the residents wish to become a city. This is enabling legislation to allow them to have this referendum. There was no opposition in this House."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended and the above entitled bill was read a third time and passed at the present time.

Third Reading & Final Passage of Bill

HB 576, to establish the city of Exeter.

On motion of Senator Buchanan, the Senate refused to reconsider its vote on the above entitled bill.

The Chair declared a one hour Recess.

(Recess)

The Senate re-assembled.

Senator Lamprey presiding.

On motion of Senator English, the rules were suspended to permit the introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Judiciary: HB 677, to repeal charters of certain corporations. Ought to pass.

Senator English: "Mr. President, I believe that I have explained this bill, but I notice Senator Rinden is not present. I know that he had the intention of speaking to the Senate today about this bill. These corporations that are recorded by the Secretary of State, it seems unrealistic that they have to come before the Legislature each session. They do not come to be added, but for removal. I believe that the record should show at least that this is unnecessary legislation and should be dealt with otherwise."

The bill was ordered to a third reading.

On motion of Senator English, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 677, to repeal charters of certain corporations.

On motion of the same Senator, the Senate refused to reconsider its vote on the above entitled bill.

Senator Buchanan, under parliamentary inquiry: "Mr. President, this morning and probably tomorrow morning, many

bills will be referred to Committees. What is to be done as to posting and holding of hearings?"

The Chair: "The public should be given as much notice as possible, of course. On the other hand, it is better to hold a hearing of relatively short length, rather than no hearing at all. There are those bills that have been anticipated by the public that most of us are familiar with. We would expect that at this stage that many bills will be brought in under suspension of the rules. Now, the question is—we ought to work Friday. The House has voted to work on Friday."

Senator Howard, moved that the Senate meet in regular session on Friday, of this week.

Senator Saggiotes spoke in support.

The motion carried.

On motion of Senator Buchanan, the Senate voted to permit the posting of Committee Hearings with one day's notice in the Journal.

Senator English presiding.

Committee Reports

Senator Provost, for the Committee on Finance: HJR 40, providing deficiency appropriation for board of accountancy. Ought to pass.

Senator Lamprey: "Mr. President, this is a deficiency appropriation within the Board of Accountancy for \$625 and this merely means that they can meet the expenses of the board. I understand that it is from funds within the agency."

The joint resolution was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 185, raising the limit of guaranteed bonds of water resources board. Ought to pass.

Senator Lamprey: "Mr. President, this raises the guarantee of the State to local communities from \$900,000 to 2 million dollars where bonds are needed for water resources. This particularly is needed in the town of Greenville at the present time. There were several people who urged the passage of this bill and felt that the debt limit should be raised to 2 million dollars."

Senator Martel inquired: "Was there opposition on the floor of the House on this bill?"

Senator Howard: "It passed by a voice vote. The Governor and Council is authorized.

Senator Lamprey: "There was no opposition within the Committee and all evidence there pointed to its being a good bill. This does not affect the general funds of the State."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 367, extending appropriation for the Beaver Brook Dam. Ought to pass.

Senator Lamprey: "Mr. President, this was in a bond issue of last session which is more currently Section 251. It merely extends the right to spend \$150,000 by the time they have had their plans drawn and in preparing for this particular dam, they were not able to expend the \$150,000. We think that the right for this local community to act should be extended."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: SB 82, relative to planning for the future development of Great Bay. Ought to pass with amendment.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Appropriation. The sum of seven thousand five hundred dollars is hereby appropriated to be expended by the department of resources and economic development for the purposes of this act, provided, however, that none of the funds so appropriated shall be expended unless a like amount in cash or in services rendered or both shall have been made paid or rendered by local public or private agencies in the seacoast region or by the federal government or both. The governor is authorized to draw his warrant for the sum hereby appropriated out of any monies in the treasury not otherwise appropriated.

On motion of Senator Hunter, the reading of the amendment was dispensed with.

Senator Hunter: "Mr. President, I would also like to ask that a substitute amendment be used in replacement for the

amendment as printed in the Journal. We found that in reading the amendment in the Journal there were two simple changes that we would like to add. In talking with the Chairmen of the Finance Committee, I have told him that it changes no figures. It changes services. Portsmouth and Dover have a city planner. This office there will give the time of their planners on a project in that area. In the second place, we have added "or by the federal government or both."

The substitute amendment to replace the Committee amendment was adopted.

Senator Lamprey: "This creates a study for development of Great Bay. Originally, the request was for \$50,000. The Finance Committee cut the appropriation to \$7,500 and that is where we are now."

Senator Foley spoke urging passage of the bill.

The bill as amended was ordered to a third reading.

Senator Provost, for the Committee on Finance: SB 77, relative to the improvement for small boating of the back channels of Portsmouth Harbor. Ought to pass with amendment.

Amend the bill by striking out section 2, 3, 4, 5 and 6 and inserting in place thereof the following:

2 Appropriation. The sum of fifty thousand dollars is hereby appropriated for the purpose of carrying into effect the provisions of this act, including engineering and construction costs. Provided, however, that none of the funds hereby appropriated shall be expended unless the city of Portsmouth shall have paid over to the state for expenditure by the governor and council for the purposes of RSA 216-C, as inserted by this act, and if the share of the costs of said city for said purposes the sum of fifty thousand dollars. The governor is authorized to draw his warrant for the sum hereby appropriated from any monies in the treasury not otherwise appropriated.

Further amend the bill by renumbering section 7 and 8 to read 3 and 4 respectively.

Senator Lamprey: "Mr. President, this bill provides for \$50,000 for a dredging project near Portsmouth Harbor. The original request on this bill was \$60,000. It is my understanding that there is \$100,000 of federal money available, but the com-

mitment must be met by the State and local communities to match this amount or else the \$100,000 of the federal government will lapse. It was decided if the State paid \$50,000 and the City of Portsmouth paid \$50,000 that would provide the matching funds and an excellent thing for the State. Senator Foley made a quick check in the Portsmouth area and they agree. We recommend the passage of this bill."

Senator Hunter: Mr. President, this subject matter has been discussed in Portsmouth for six years. The Army Engineers have agreed to go ahead at any time that we get the money together in the amount of \$100,000 to match the \$100,000 that is available in their funds. The money will lapse on July 1st. We felt that this was the last opportunity that we would have to get this job done. Portsmouth is showing its willingness to provide 25% of the project. We are asking that the State furnish \$50,000 also. Let me add one thing, I think that this is going to be of considerable value. Once these channels are dredged, the federal government takes the responsibility of keeping them open. There will be no need for expending for dredging of these channels. We think this is a real good deal. We are getting a job done that for ever more."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Hunter, the rules were suspended and the above entitled bill was ordered to a third reading and final passage at the present time.

Third Reading & Final Passage of Bill

SB 77, relative to the improvement for small boating of the back channels of Portsmouth Harbor.

Senator Provost, for the Committee on Finance: HJR 44, providing for deficiency appropriation for division of welfare of Dept. of Health & Welfare. Ought to pass.

Senator Lamprey: "Mr. President, again, this is one of those deficiency appropriations. It is necessary that it be passed today if the help is to be paid within the Division of Health & Welfare. This is needed. It comes out of funds that have not been deposited. It is not a charge against the general fund."

The bill was ordered to a third reading.

Senator Johnson, for the Special Committee consisting of the Grafton County Delegation: HB 615, relative to salary of the sheriff of Grafton County. Ought to pass.

On motion of Senator Johnson, the rules were suspended to dispense with holding of public hearing on the above entitled bill. (A hearing had been held in the House).

Senator Johnson: "Mr. President, this bill puts the salary on a salary basis completely with no fees."

The bill was ordered to a third reading.

Senator Johnson, for the Special Committee consisting of the Grafton County Delegation: HB 681, relative to the salary of, and amount of fees to be collected by the register of deeds for Grafton County. Ought to pass.

On motion of Senator Johnson, the rules were suspended to dispense with holding of public hearing on the above entitled bill. (A hearing had been held in the House)

Senator Johnson: "Mr. President, this bill sets the salary of the register of deeds. Salary and no fees and it applies only to Grafton County. The salary is set at \$6,000 plus 10% of the fees with a maximum of \$15,000 and a minimum of \$7,500 in total. This bill was passed by the House and has had a full hearing of the Grafton County Delegation."

The bill was ordered to a third reading.

Senator Johnson, for the Special Committee consisting of the Grafton County Delegation: HB 755, relative to the salary of the Grafton County Attorney. Ought to pass with amendment.

Amend HB 755 by striking out section 1 and inserting in place thereof the following:

1 County Attorney. Amend RSA 7:35 (supp), as amended by 1955, 247:2; 1957, 34:1; 211:1; 263:1, 1959, 6:1; 1961, 107:1, 208:1, and 1963, 95:1, 329:1 by striking out the words "In Grafton, three thousand dollars" and inserting in their place the words, In Grafton, five thousand dollars, so that the section is amended to read as follows:

7:35 Salaries. The annual salaries of the county attorneys in the several counties shall be as follows:

In Rockingham, three thousand dollars.
In Strafford, twenty-five hundred dollars.
In Belknap, three thousand dollars.
In Carroll, two thousand dollars.
In Merimack, twenty-five hundred dollars.
In Hillsborough, five thousand dollars.
In Cheshire, three thousand dollars.
In Sullivan, two thousand dollars.
In Grafton, five thousand dollars.
In Coos, twenty-four hundred dollars.

On motion of Senator Johnson, the rules were suspended to dispense with holding of public hearing on the above entitled bill. (A hearing was held in the House)

On motion of Senator Johnson, the reading of the amendment was dispensed with.

Senator Johnson: "Mr. President, the amendment changes in the statutes the amount from \$3,000 to \$5,000."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: SB 123, relative to fees for motor vehicle permits. Recommend that the bill be referred to the Legislative Council.

Senator Buchanan: "Mr. President, this has nothing to do with the fees of the Motor Vehicle. It has to do with the fees charged by towns and city clerks. There was great controversy; some were in favor of one thing and others were in favor of something else. Time does not permit the time to iron this out. It is Senator Johnson's bill and he has suggested, and this is the recommendation of the Committee, that it be referred to the Legislative Council."

The recommendation of the Committee was adopted.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HJR 43, in favor of Alex C. Isherwood of Jaffrey. Ought to pass.

Senator Buchanan: "Mr. President, I am sure that you and Senator Blaisdell and those who live over in that section of the State where the first of the year, some people were lost on

Mount Monadnock. Mr. Isherwood was one of the party that went out looking for them. He was injured. This is to reimburse him for the cost of the medical payment which was caused by his assistance to the State. There was no opposition."

The joint resolution was ordered to a third reading.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims: HB 439, to amend the charter of certain savings banks and relating to the compensation of bank commission assistants. Ought to pass with amendment.

Amend the title of the bill by striking out same and inserting in place thereof the following:

An Act to amend the chapter of certain savings banks.

Further amend the bill by striking out section 3.

Further amend the bill by renumbering section 4 to read section 3.

On motion of Senator Buchanan, the reading of the amendment was dispensed with.

Senator Buchanan: "Mr. President, I would call to the attention of the Senate to this bill which has been happily identified as the Yoo Yoo bill of the 1965 session. This makes the fourth or fifth time that this has been before this body and I hope that it will be the last. The amendment deletes the House amendment which was put on by the late Bank Commissioner which was objected to in certain cases. If this amendment is adopted, this affects only two savings banks in Rochester and in Claremont."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 627, increasing the salary of the county commissioners of Sullivan County. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out line twenty-one and inserting in place thereof the following

The Senate voted to adopt the amendment offered by Committee on Engrossed Bills.

Senator Martin, for the Committee on Engrossed Bills: HB 613, relative to town appropriations for railroad passenger service. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Town Appropriations. Amend RSA 31:4 by inserting after paragraph XXXIX as inserted by 1965, 8:1 the following new paragraph: XL Railroads. To negotiate.

The Senator voted to concur.

On motion of Senator Buchanan, the order whereby the following entitled bill was referred to the Committee on Banks, Insurance & Claims was vacated and the bill was referred to the Committee on Executive Depts., Municipal & County Governments:

HB 731, relative to solicitation of funds for religious, benevolent or philanthropic purposes.

On motion of Senator Lamprey, the rules were suspended to permit the introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey, for the Committee on Finance: HB 156, relative to state participation in water pollution control costs. Ought to pass.

Senator Lamprey: "Mr. President, this would increase the participation by some 10%. The House amendment cut it from 50% down to 40% participation. The total amount would be a little under \$400,000. This is not retroactive, but it has been estimated that it would be retroactive from the standpoint that most bonds outstanding today have about 15 years to run. The cost to the State would be slightly under \$400,000. It does not go back to the very inception date of when pollution went into effect, in order to pay back the local communities. But it does

pick up all those bonds which are presently outstanding, so in effect, it is retroactive in this respect. It is estimated that the time that these bonds have to run is approximately 15 years."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 260, relative to private ownership liability exemption. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section of the bill by striking out the same and inserting in place thereof the following:

1 Aeronautics Law. Amend RSA 422 by adding a new section after RSA 422:17 as follows: 422:17-a Private Ownership Liability Exemption. An owner, lessee, or occupant of premises on which private non-commercial air navigation facilities are located owes no duty of care to keep the premises safe for public use by others or to give any warning to wilful users of the premises of hazardous conditions. An owner, lessee, or occupant of premises on which private non-commercial air navigation facilities are located who gives permission to another to use the facilities does not thereby (a) extend any assurance that the premises are safe, or (b) constitute the person to whom permission has been granted the legal status of an invitee to whom a duty of care is owed, or (c) assume responsibility for or incur liability for any injury to person or property caused by any act of the person to whom the permission has been granted.

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills: HB 610, to eliminate relative responsibility in the administration of medical assistance for the aged. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Liability for Support. Amend RSA 167 by adding after RSA 167:3-a as inserted by 1961, 18:1 the following new section

The Senate voted to concur.

Committee of Conference Report

The Committee of Conference to whom was referred SB 90, An Act raising the maximum amount of group life insurance allowed to be written for two or more employers in the same industry or two or more labor unions, having considered the same, report the same with the following recommendations:

That the House recede from its position in adopting an amendment; and

That the Senate recede from its position of nonconcurrence on the House amendment; and

That the House and Senate pass the bill without amendment.

Conferees for the Senate

Sen. Buchanan of Dist. No. 12

Sen. Lamontagne of Dist. No. 1

Conferees for the House

Rep. Stratton of Derry

Rep. Montplaisir of Manchester

Rep. Desmarais of Jaffrey

On motion of Senator Buchanan, the Senate voted to adopt the Report of the Committee of Conference on the above entitled bill.

Committee of Conference Report

The Committee of Conference to whom was referred HB 71, An act appropriating funds of the state nursing scholarship program, having considered the same, report the same with the following recommendation: That the Senate recede from its position in adopting its amendment and concur with the House in the passage of the bill.

Senator Gardner of Gilford

Senator Bergeron of Rochester

Conferees on the Part of the Senate

Mr. O'Neil of Chesterfield

Mrs. Weeks of Greenland

Mr. Bruton of Manchester

Conferees on the Part of the House

On motion of Senator Gardner, the Senate voted to adopt the Report of the Committee of Conference on the above entitled bill.

Committee of Conference Report

The committee of Conference to whom was referred House Bill 276, An Act providing for an open season on fisher, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrence on the Senate Amendment; and

That the Senate recede from its position in adopting an amendment; and

That the House and Senate adopt the following amendment to said bill:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Fisher. Amend RSA 210 by inserting after section 3 as amended by 1961, 147:1 the following new subdivision:

FISHER

210:3-a Open Season. Fisher may taken and possessed by the use of dogs, guns and traps from October 20 to February 1 in all counties of the state except Coos where no fisher may be taken unless, upon the written request of the selectmen of a town or the council of a city or the executive body of any other political subdivision, a certificate of permission has been issued by the fish and game department signed by a majority of the commission and the director, delineating the area and the time within which fisher may be so taken and possessed in said county. Whoever violates the provisions of this section shall be fined not less than ten dollars for the first and not more than fifty dollars for each additional fisher taken and possessed in violation of this section.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2 Repeal. RSA 210:3-a as inserted by 1961, 147:2 and amended by 1963, 154:1 is hereby repealed.

Further amend the bill by inserting the following new sections:

3 Skins to be Sealed. Amend RSA 210:8 as amended by 1955, 57:1 and 1961, 24:2 by striking out the same and inserting in place thereof the following:

210:8 Stamping: Sale of Skins. Whenever a person shall lawfully take during the open season beaver as provided in sections 5 and 7 or fisher as provided in section 3-a he shall present the skin of such beaver or fisher, within ten days from the close of said open season to a conservation officer who shall stamp or seal the same. Beaver or fisher skins lawfully taken, stamped or sealed may be bought and sold.

4 Takes Effect. This act shall take effect sixty days after its passage.

Conferees for the House

Mr. Bushey of Northumberland

Mr. Hunt of Stratford

Mr. Brown of Loudon

Conferees for the Senate

Senator Hunter of District 23

Senator Riley of District 14

On motion of Senator Hunter, the Senate voted to adopt the Report of the Committee of Conference on the above entitled bill.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 633, to clarify the procedure for the delivery of absentee ballots to the moderator. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the first four lines and inserting in place thereof the following:

2 Absentee Voting. Amend RSA 60:7 by striking out the same and inserting in place thereof the following:

The Senate voted to concur.

On motion of Senator Lamprey, the rules were suspended to permit the introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey, for the Committee on Finance: HB 56, to authorize the division of safety services of the department of safety to acquire land to build a boat house and launching ramp. Ought to pass with amendment.

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

1 Acquisition of Land. Amend paragraph VIII of 1963, 251:1 by striking out the same and inserting in place thereof the following: VIII. Department of safety:
Division of safety services:

Construction of boat house and launching ramp, including the acquisition of land	\$105,000.00
Less boat house reserve approved by governor and council	30,000.00
TOTAL	\$ 75,000.00

Proceeds from sale of old boat house and site located on Weirs channel shall be credited to unappropriated surplus of the general fund. The appropriation made by this paragraph shall not lapse, and up to forty thousand dollars of said appropriation may be expended for the acquisition of land, for the purpose of this paragraph, and said expenditure may be made prior to the convening of the 1967 general court. No other monies appropriated by this paragraph may be expended without the approval of the 1967 general court and the division of safety services of the department of safety is hereby directed to prepare and submit complete plans and recommendations to the 1967 general court for the construction of the boat house and launching ramp for which funds have been hereby appropriated.

Senator Lamprey: "Mr. President, originally there was an appropriation of \$30,000. Then an additional \$75,000 was authorized under the bond issue of last session which we refer to as Chapter 251, to build a boat launching ramp, etc. In the previous bill, they did not allow for the acquisition of land and

the Attorney General made a ruling that the money could not be spent for land. We had a hearing on this matter this morning and the Finance Committee is in agreement that a new boat house and launching ramp should be built on Lake Winnepesaukee, but when we came to ask about the size of the buildings and all the particulars, there were no plans and therefore, it was decided that we would offer an amendment which would allow them to spend up to \$40,000 for the acquisition of land on Lake Winnepesaukee and for them to bring in their plans and what they wish to build to the next session of the Legislature. I feel confident that if we do not do it this way, we may find ourselves in a deficiency appropriation. We may as well find this all out before we go ahead and appropriate money."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Saggiotes, the Senate refused to reconsider its vote on the following captioned Joint Resolution:

HJR 1, providing an appropriation toward reconstruction of Fort Number Four.

Special Order of Business for 11:01

Senator Lamontagne called for the Special Order.

It Being: Consideration of Committee Report, Ought to Pass on HB 8, to authorize the sweepstakes commission to pay unclaimed prize money to the state treasurer.

Senator Lamontagne: "Mr. President, today is one of the saddest speeches that I have ever made in this Senate in all the years that I have been here. I feel very bad about the things I am going to be saying on this Senate floor. This was done by a One Man Commission and that is Mr. Shepherd, who has got the nerve to come before us and start lobbying against my amendment. I just want to say that I am not going to introduce the amendment that I had planned to because I know the amendment is lost before I start. He has nothing to do in his office and comes over here and sits on the bench. I will not offer the amendment that I have prepared."

The bill was ordered to a third reading.

Special Order of Business for Business for 11:02

Senator Buchanan called for the Special Order.

It being: Consideration of Committee Report: Ought to pass with amendment on: SB 107, relative to the compensation of personnel of the University and Keene and Plymouth state colleges.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

establishing a committee to investigate the relationship between salaries of personnel of the University of New Hampshire, Keene and Plymouth state colleges and classified state employees.

Further amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Committee Established. There is hereby established an interim study committee of five members, one to be appointed by the president of the senate, one by the speaker of the house, one by the president of the university of New Hampshire, one by the president of Keene state college, and one by the president of Plymouth state college. The committee is hereby authorized and directed to investigate, with the assistance, advice, and cooperation of the director of personnel, the executive secretary of the state employees' association and any other state agencies or departments which it requires, the relationship and relative pay and fringe benefits of personnel at the university of New Hampshire, Keene state college, and Plymouth state college compared to classified state employees. The committee is directed to make a report of its findings and its recommendations by November 1, 1966 to the governor and the 1967 general court.

2 Takes Effect. This act shall take effect upon its passage.

Senator Buchanan: "Mr. President, I believe the amendment is self-explanatory. It sets up a committee to investigate into this personnel problem and provides how the members of the committee are to be named, etc. This was made a Special Order today because there was some thought there might be a veto, but I have been assured from the Governor's office that

this bill will be signed if passed in its present form. I would ask that the bill be passed."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Special Order of Business for 11:03

Special Order being: Consideration of Committee Report, Ought to pass on: HB 453, to permit interchange of government employees.

On motion of Senator Buchanan, consideration of the above entitled bill and report was made a Special Order of Business for tomorrow morning at 11:02.

On motion of Senator Johnson, the rules were suspended to place the following entitled bill back on its second reading in view of the fact that there is a technical error in the bill which has to be changed.

HB 156, relative to state participation in water pollution control costs.

On further motion of Senator Johnson, the above entitled bill was laid on the table.

Senator Buchanan presiding.

On motion of Senator Lamprey, the rules were suspended to permit the introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey, for the Committee on Finance: HB 463, increasing the salaries of the County Commissioners and Treasurer of Carroll County. Ought to pass.

Senator Lamprey: "Mr. President, this bill increases the salaries of the County Commissioners from \$1,200 to \$1,800 in Carroll County and it also increases the salary of the Treasurer from \$500 to \$750 a year. That is all that the bill does."

The bill was ordered to a third reading.

Third Reading & Final Passage of Bills & Joint Resolutions

On motion of Senator Lamprey, the rules were suspended and the following bill read a third time and passed at the present time:

SB 117, relating to house boats on Conway Lake and Silver Lake in the town of Madison.

On motion of Senator Mitchell, the rules were suspended to permit the following bill to be placed on third reading and final passage at the present time:

SB 107, establishing a committee to investigate the relationship between salaries of personnel of the University of New Hampshire, Keene and Plymouth State Colleges and classified state employees.

On motion of Senator Lamprey, the rules were suspended to permit the following bill to be placed on third reading and final passage at the present time:

HB 56, to authorize the division of safety services of the department of safety to acquire land to build a boat house and launching ramp.

On motion of Senator Johnson, the rules were suspended to permit the following joint resolution to be read a third time and passed at the present time:

HJR 43, in favor of Alex C. Isherwood of Jaffrey.

On motion of Senator Gardner, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 755, relative to the salary of the Grafton County Attorney.

On motion of Senator Howard, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 681, relative to the salary of, and amount of fees to be collected by, the register of deeds for Grafton County.

On motion of Senator Saggiotes, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 615, relative to salary of the sheriff of Grafton County.

On motion of Senator Gove, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HJR 44, providing for deficiency appropriation for division of welfare of department of health and welfare.

On motion of Senator English, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

SB 82, relative to planning for the future development of Great Bay.

On motion of Senator Riley, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 367, extending appropriation for the Beaver Brook Dam.

On motion of Senator Green, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 185, raising the limit of guaranteed bonds of water resources board.

On motion of Senator Blaisdell, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HJR 40, providing deficiency appropriation for board of accountancy.

On motion of Senator Waterhouse, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 439, to amend the charter of certain savings bank.

On motion of Senator Bergeron, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 8, to authorize the sweepstakes commission to pay unclaimed prize money to the state treasurer.

On motion of Senator Foley, the rules were suspended to permit the following bill to be read a third time and passed at the present time:

HB 463, increasing the salaries of the County Commissioners and Treasurer of Carroll County.

On motion of Senator Gove, the Senate went into Recess.

(Recess)

The Senate reassembled.

Taken from the Table

On motion of Senator Johnson, the following entitled bill was taken from the table:

HB 156, relative to state participation in water pollution control cost.

Senator Johnson offered the following amendment:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Water Pollution Control Costs. Amend RSA 149-B by inserting after section 3 as inserted by 1959, 267:1 the following new section: 149-B:4 Additional State Contribution. Any municipality as defined by section 1 of this chapter which is qualified under said section for the payment of the state contribution as therein provided, shall be paid annually by the state of New Hampshire in addition to any payments received under the provisions of section 1 ten per cent of the yearly amortization charges on the original cost resulting from acquisition and construction of sewerage disposal facilities by it. The word "costs" and the term "original costs" shall have the same meaning for the purposes of this section as they have for the purposes of section 1 of this chapter. The provisions of section 2 of this chapter shall not apply to the payments provided for by this section.

On motion of Senator Johnson, the reading of the amendment was dispensed with.

Senator Johnson: "Mr. President, this is change which only states that each and every town in the state which has the facility will get 10% extra and this is a change from the other

bill which says that towns who have APW would not get 10%. It was the feeling of the Committee that all towns should get 10%."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Johnson, the rules were suspended to permit the above entitled bill to be read a third time and passed at the present time.

Third Reading of Bill

HB 156, relative to state participation in water pollution control costs.

Introduction of Guests

As the guest of Senator Howard, Mr. Weldon Thompson of Northfield.

House Message — First and Second Reading of Bills & Joint Resolutions

HB 704, establishing the water pollution commission as an independent agency. Referred to Resources, Recreation & Development.

HB 659, relative to New England State Police Compact. Referred to Finance.

HB 624, to appropriate additional funds for capital improvements to technical institutes. Referred to Finance.

HB 639, relative to completion of certain capital improvements at Keene and Plymouth State Colleges and extending the appropriations therefor. Referred to Finance.

HB 487, relative to State aid for Class V highways in towns. Referred to Joint Public Works & Transportation and Finance.

HB 446, relative to town road aid. Referred to Finance.

HB 396, to provide a procedure for final payment to contractors on public contracts. Referred to Public Works & Transportation.

HB 307, providing for control of aquatic nuisances in any of the surface waters of the state. Referred to Finance.

HB 106, providing additional retirement allowances for certain retired teachers. Referred to Finance.

HB 416, providing adequate representation for indigent defendants in criminal cases. Referred to Finance.

HB 793, relative to a study for projecting state fiscal requirements biennially through 1975. Referred to Finance.

HB 438, to increase the loan and guarantee limits of the Industrial Park Authority. Referred to Finance.

HB 414, to commemorate the New Hampshire National Guard. Referred to Military & Veterans Affairs.

HB 250, to develop and improve air navigation facilities. Referred to Finance.

HB 145, relative to authorizing matching federal payments for the fiscal years 1966 and 1967. Referred to Finance.

HB 228, to make appropriation for replacement of navigation aids. Referred to Finance.

HJR 19, relative to the operating expenses of educational television station WENH-TV, channel 11, Durham. Referred to Finance.

HJR 47, in favor of Robert D. Clarke and Ida M. Clarke. Referred to Executive Depts., Municipal & County Governments.

HB 282, to provide an education for physically handicapped children. Referred to Education.

HB 376, to extend service exemption from taxation to certain totally disabled servicemen. Referred to Military & Veterans Affairs.

HB 567, relative to local option of sale of liquor and beverages in towns and cities. Referred to Liquor Laws.

HB 568, to provide for regulation of passenger tramways and skiing areas. Referred to Resources, Recreation & Development.

HB 601, relative to licensing of dogs. Referred to Executive Depts., Municipal & County Government.

HB 666, relative to election of school district officers. Referred to Education.

HB 732, to prohibit forging or altering a prescription under the drug law. Referred to Health, Welfare & State Institutions.

HB 735, to regulate retail installment buying under progressive time contracts. Referred to Judiciary.

HB 746, to regulate the taking of land for access to private recreational areas. Referred to Public Works & Transportation.

HB 771, to legalize the proceedings of the annual town meetings of the town of Waterville on May 5, 1962; May 18, 1963; May 16, 1964; and March 13, 1965. Referred to Executive Departments, Municipal and County Government.

HB 602, relating to the sale of insurance. Referred to Banks, Insurance & Claims.

HB 538, relative to motor vehicle liability insurance. Referred to Banks, Insurance & Claims.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to who was referred the following entitled bill:

HB 276, providing for an open season on fisher.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 359, An Act relative to bail commissioners.

HB 394, An Act to require registers of probate to notify registers of deeds of death of person owning real estate in the state.

HB 689, An Act changing the name of New Hampton Village Fire Precinct to New Hampton Village Precinct.

HB 772, An Act to legalize the proceedings of a special meeting of the Goshen-Lempster Cooperative School District on June 5, 1965.

SB 45, An Act relative to time of filing for city and town elections.

SB 100, An Act relative to appointment of process agent by foreign corporation.

HB 274, An Act relative to supervisory unions.

HB 570, An Act relative to the sale of sweepstakes tickets.

SB 84, An Act requiring reporting by physicians and institutions of certain physical abuse of children.

SB 97, An Act creating a state commission on the arts.

HB 673, An Act legalizing the proceedings at town meetings March 12, 1963, March 10, 1964, June 24, 1964 and March 9, 1965 in the town of Lincoln.

HB 706, An Act relative to the Dover city charter.

HB 707, An Act relating to property holdings by the people called Friends or Quakers.

HB 457, An Act relative to the salary of the sheriff of Cheshire County.

HB 625, An Act relating to operators' and chauffeurs' licenses, the age of school bus operators, and conduct after a motor vehicle accident.

HJR 24, Joint Resolution providing funds for the commission on interstate cooperation.

HB 266, An Act relative to the disposal of garbage and refuse.

HB 299, An Act to remove employees working under the federal minimum wage law from the provisions of the minimum hourly rate, and to remove children working for their parents, and spouses working for each other, from the provisions of the minimum wage law.

HB 389, An Act to provide for the use of distinctive flags or distress signals by handicapped or paraplegic operators of motor vehicles.

HB 555, An Act relative to payment of fees by foreign corporations.

HB 579, An Act increasing penalties for violations of rules and regulations at state forests and reservations.

HB 552, An Act relative to benefits and taxing provisions under the employment compensation law.

HB 655, An Act to adjust sick leave of state police injured in line of duty.

HB 703, An Act relative to revocation of hunting licenses for conviction by court of another state.

SB 109, An Act relative to firemen's retirement system.

SJR 11, Joint Resolution in favor of Violet G. Lemon.

Eda C. Martin,
For the Committee

The report was accepted.

On motion of Senator Blaisdell, the Senate went into afternoon session.

Afternoon Session

On motion of Senator Saggiotes, the Senate adjourned at 6:30 p.m.

THURSDAY, June 24, 1965

The Senate met according to adjournment.

Senator Buchanan, District No. 12, presiding.

A quorum was present.

House Message

The House of Representatives has voted to concur with the Senate in its amendments to the following entitled bills:

HB 335, to provide a licensing law for practical nurses.

HB 576, to establish the city of Exeter.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 156, relative to state participation in water pollution control costs.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 61, relating to public roads to private recreational areas.

SB 29, to redistrict the State into Senatorial Districts.

The Message further stated that the House has voted to accede to the request of the Senate for a Committee of Conference on the following entitled bill:

HB 677, relating to hearing in enactment of zoning ordinances in towns and the Speaker has appointed as members of said Committee on the part of the House, Representatives Cole of Swanzezy; Bednar of Hudson; and Hanson of Bow.

The Message also stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

SB 90, raising the maximum amount of group life insurance allowed to be written for two or more employees in the same industry or two or more labor unions.

Committee of Conference Report

The Committee of Conference to whom was referred SB 90, An Act raising the maximum amount of group life insurance allowed to be written for two or more employers in the same industry or two or more labor unions, having considered the same, report the same with the following recommendations:

That the House recede from its position in adopting an amendment; and

That the Senate recede from its position of nonconcurrence on the House amendment; and

That the House and Senate pass the bill without amendment.

Conferees for the Senate

Sen. Buchanan

Sen. Lamontagne

Conferees for the House

Mr. Stratton of Derry

Mr. Montplaisir of Manchester

Mr. Desmarais of Jaffrey

The Senate voted to adopt the Report of the Committee of Conference.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 215, to amend the law establishing a cooperative district in the Newfound area.

Committee of Conference Report

The Committee of Conference to whom was referred HB 215, to amend the law establishing a cooperative district in the Newfound area, recommends that the Senate recede from its position in adopting its amendment and that the House recede from its position of nonconcurrence, and that the Senate and House adopt the following amendment:

Amend said bill by striking out all after the enacting clause and substituting in place thereof the following:

1 Revision of Apportionment Formula. Amend Chapter 394 of the Laws of 1963 by striking out Sections 2 and 3 thereof and substituting in place thereof the following:

394:2 Costs of Capital Outlay and Operation. During the first five years after the establishment of such cooperative school district, each pre-existing district shall pay its share of all capital outlay costs and operational costs in accordance with the following formulae:

I First Year. During the first year after the establishment of such cooperative school district, all capital outlay costs and operational costs shall be apportioned among the pre-existing school districts on the basis of the ratio that the school tax assessed in each pre-existing district for the school year 1963-1964, as certified by the state tax commission, shall bear to the aggregate of the school tax assessments for all the pre-existing school districts for said school year 1963-1964.

II Next Four Years. During the next four years thereafter, all such costs shall be apportioned on the basis of the ratio that the total school taxes assessed in each pre-existing district over the five school years immediately preceding July 1, 1964 plus the total foundation aid received by each such pre-existing district over said five year period, bear to the aggregate of the school taxes assessed in and foundation aid received by all of the pre-existing school districts over the same years. The percentage shares of such costs to be borne by the pre-existing districts under the foregoing formula are as follows:

Alexandria	10.49%
Bridgewater	9.29%
Bristol	35.65%
Danbury	11.57%
Groton	2.09%
Hebron	3.63%
New Hampton	27.28%

394:3 Five-Year Period Reconsideration. After the expiration of the first five years from the establishment of such cooperative school district, and at the expiration of each subsequent five-year period, the basis for apportionment of capital outlay and operational costs shall be subject to review, and the cooperative school district board may then by two-thirds vote of the entire membership of the board modify the method of apportionment prescribed in section 2 II hereof to reflect any increase or decrease in the average daily attendance from each pre-existing school district. Such modification, if voted, shall be effectuated by adding to or subtracting from the share which would have been apportioned to each several pre-existing school district through the method of apportionment prescribed in section 2 II hereof, an amount which will take into account any change in average daily attendance from such pre-existing district. Provided, that there shall not be apportioned to any pre-existing school district under any such modification an amount in excess of five per cent of the amount which would have been apportioned to such school district under the method of apportionment prescribed in said section 2 II.

2 Takes Effect. This act shall take effect on its passage.

Conferees on the part of the Senate
 Sen. English
 Sen. Foley

Conferees on the part of the House
 James E. O'Neil
 Bowdoin Plumer
 H. Thomas Urie

The Senate voted to adopt the Report of the Committee of Conference on the above entitled bill.

Order Vacated

On motion of Senator Riley, the order whereby the following entitled bill was referred to Finance Committee was vacated, and the bill was referred to the Committee on Judiciary:

HB 659, relative to New England State Police Compact.

Committee Reports

Senator Saggiotes, for the Committee on Labor: HB 298, to allow children to work in certain occupations other than farm or domestic labor. Ought to pass.

Senator Saggiotes: "Mr. President, this bill amends the present child labor laws so that no child under the age of 14 shall be employed in any occupation except domestic labor in the home of the employer, farm labor, or as a caddy, delivery of newspapers, and work for church and religious purposes. No child under 16 may work in any occupation except those mentioned above, during the time in which schools are in session, unless he is authorized by the superintendent of schools. This bill had the support of the Labor Commissioner and there was no opposition."

The bill was ordered to a third reading.

Senator Saggiotes, for the Committee on Labor: HB 640, to clarify unemployment compensation laws relating to disqualification for pregnancy. Recommend that the bill be referred to the Advisory Council on Unemployment Compensation.

Senator Saggiotes: "Mr. President, after listening to the testimony at the hearing on this bill, the Committee was more confused than before. It was the unanimous decision of the Committee to refer this bill to the Advisory Council directing them to come up with some type of legislation for the next session of the Legislature so that the problem on unemployment compensation relative to disqualification for pregnancy can be resolved once and for all."

Senator Lamontagne spoke in support.

Senator Martel: "Mr. President, I also wish to support the Committee recommendation on the basis that we have adopted recommendations of the Advisory Council over the past years. I wish to pay tribute to the representatives who have always been considerate and always interested in legislation that will benefit our people. All over the years, we have referred bills to the Legislative Council, to the Judicial Council, now we are referring this to the Advisory Council and in so doing, I consider that they are being told that we may expect them to bring in something worthwhile to the next session of the Legislature. I strongly support the recommendation."

Senator Foley: "Mr. President, twelve years is a long time for any bill to have laid in waiting. But I do feel that something should be done and I think this is the last time to get it to the Council. This time, they should take some kind of action."

The recommendation of the Committee was adopted.

Introduction of Guests

As the guest of the entire Senate, former Senator and now Commissioner of Agriculture, Frank Buckley of Derry.

Committee Reports (continued)

Senator English, for the committee on Judiciary: HB 573, legalizing the proceedings at the town meeting March 9, 1965 in the town of New London. Ought to pass.

Senator Rinden: "Mr. President, the town of New London conducted its town meeting in the evening for the first time and they had the polls open in the afternoon. The Moderator neglected to open the meeting prior to the opening of the polls. I really do not know that this bill is necessary, but it was requested."

The bill was ordered to a third reading.

Senator Rinden: for the Committee on Judiciary: HB 598, to authorize certain medical tests as a condition to holding of a motor vehicle operator's license. Ought to pass.

Senator Rinden, for the Committee on Judiciary: "This is the implied consent bill. If you are picked up for driving under the influence, you will have given your consent in advance to take a blood test or urine test. This may be done by your own doctor or the department. The analysis is made in the state lab. If you should refuse that test, then the Commissioner of Motor Vehicles shall suspend your license for 90 days. The feeling behind this implied consent bill is this — driving on our highways is a privilege. To this privilege certain responsibilities should be attached. Where the number of deaths resulting from driving while under the influence is so high, it is a reasonable condition that you submit to this test. This is based on alcohol in the blood and in the other bodily fluids. . . ."

Senator Mitchell made two inquiries: "Who pays for this blood test?"

Senator Rinden: "The state would be willing to pay for it at state facilities or you would, if you consult your own doctor."

Senator Mitchell: "Does this include all police officers?"

Senator Rinden: "Any police officer who has the power of arrest."

Senator Mitchell: "Let me say to begin with that I am not in favor of protecting drunken drivers, but I have had some experience over the past 20 years with law enforcement. I have seen the authority given to a lot of young fellows who I call 'eager beavers' and I have always thought in enforcing the law that it was one thing to let the law of common sense enter into cases."

Senator Lamontagne spoke in support.

The bill was ordered to a third reading.

Introduction of Guests

As the guest of Senator Foley, Mr. James Keene, the new member of the Maine-New Hampshire Bridge Authority and Democratic member of the Portsmouth Committee, his wife and two children.

Committee Reports (continued)

Senator Tufts, for the committee on Judiciary: SB 129, providing that abandoned railroad rights of way shall be retained for equitation, bicycle, and pedestrian uses only. Ought to pass.

Senator Tufts: "Mr. President, the purpose of this bill is to provide that as many rights of way shall be retained as possible, for recreational uses. This directs that the director of the division of parks is to ascertain how many, though they are not subject to the control of the State. It carries no specific appropriation and the Committee hopes that the bill will pass."

Senator Hunter: "Mr. President, this bill is a forward looking thing. It is one of those things that look to the day when people who are on foot will have a place to go without a motor vehicle. It will take care of the horseback riders and the snowshoers in the winter. Those who like to go for a walk, similar to the Appalachian Trails that our mountains are noted for. It will give those people a place to go who just want to go for a walk. It will take some care of this area that is perhaps now lost to people who used to be able to do these things. My point is that in ten years from now, there will be no place for them to go without a motor vehicle. It would seem that we should plan for the future. It is asking for those people who wish to get away from it all and have no way of getting there because of lack of a motor vehicle . . . I am sure that there will be controversy about this. That is why we have introduced this bill. Having worked with many of these things in the past, I have found that there are many people who do not realize that they have the rights of way. I would think that it would be nice if the State could acquire them for the good of the general public of the State."

Senator Lamprey inquired: "Does this in any way affect the rights of private property owners whereby grants were taken by county commissioners. This was a method of land taking in 1850. Does this affect those rights in any way, shape or manner?"

Senator Hunter: "I tried to make clear that I knew there would be problems in the future. But in cases, many people do not know that they own these rights of way. I felt that working through the department of parks and PUC we could work these

things out. It is certainly futuristic, I grant that. This will do no harm. It certainly is looking forward with that intention.”

(Discussion ensued)

Senator Lamprey: “I am concerned with the same point and would agree that it would be a fine idea. I just don’t want to see the state come in and have that right in connection with a person’s property. I will go along with the bill.”

Senator Riley: “Mr. President, I believe that Senator Hunter realizes as I do that in the future, recreational areas are going to be a big asset to this State. I am sure that if any problems are created, the future Legislature will be able to straighten them out. I would urge my fellow Senators to support the bili.”

The bill was ordered to a third reading.

Senator English, for the Committee on Judiciary: HB 690, relative to recording of action when school district takes land by eminent domain. Ought to pass.

Senator English: “Mr. President, this bill simply provides that when a school district takes land for the location of a school house or enlargement of the present school house, the school district clerk shall furnish to the register of deeds a copy of such deed.”

The bill was ordered to a third reading.

Senator Waterhouse, for the Committee on Ways & Means: HB 417, relating to fees for registration of motor vehicles, motor cycles, agricultural vehicles and inspection stations. Ought to pass with amendment.

Amend the bill by striking out section 4 thereof.

Further amend the bill by renumbering sections 5, 6, 7 and 8 thereof to read 4, 5, 6 and 7.

Further amend the bill by striking out section 9 and inserting in place thereof the following:

8 Effective Date. Sections 4, 5 and 7 of this act shall take effect September 1, 1965. All other sections of this act take effect April 1, 1966.

On motion of Senator Waterhouse, reading of amendment was dispensed with.

Senator Waterhouse: "Mr. President, there was very little opposition to this bill. The opposition came from the various farm groups. All this amendment does is to strike out Section 4 of the bill which raises the fees on farm trucks from \$2 to \$5. This amendment leaves the law as it presently is, back to \$2. The Committee saw fit to make this amendment. The last amendment is to renumber the section after taking out Section 4."

Senator Hunter: "Although there was no opposition at the hearing, I have had some discussion with various members and I would like it on the record that operators of stations do feel they are doing the State a piece of work for nothing — the stations who inspect motor vehicles feel that it is an injustice to them. They feel that they are working for the State and that the sum of the additional cost to the operator is unfair. I wish the record to show that there has been opposition to this bill. I am not prepared with an amendment to say anything further. I do not wish the record to show no opposition. Some of us have been contacted."

Senator Waterhouse: "Mr. President, I personally received no criticism or any complaints in regard to this bill from any station. I cannot see why they think they are doing the state any favor. I believe that they have been well paid for their trouble."

(Discussion ensued)

The amendment was adopted and the bill as amended was ordered to a third reading.

On motion of Senator Waterhouse, the rules were suspended to permit the third reading and final passage of the bill at the present time.

Third Reading & Final Passage of Bill

HB 417, relating to fees for registration of motor vehicles, motor cycles, agricultural vehicles and inspection stations.

On motion of Senator Lamprey, the Senate refused to reconsider its action on the above entitled bill.

Introduction of Guests

The Georgia Teachers and Educational Association Children's Cultural and Education Tour Group. The purpose of the group is to study American history. The group is on a sixteen day tour which started June 13. Miss Anna R. Jones is the tour Director. Those on tour are:

Joelene Cherry, Verlinda Newman, Shelia Eberhart, Shirley Thurmond, Stephanie Pearson, Patricia Lewis, L. Robinson, Debra Kennedy, Janice Jackson, Wilithia Henderson, Kathy Peoples, Betty Eberhardt, Carla Jones, Cynthia Wyatt, Alvier Denise Vivian, Vicky Roberts, Brenda Truitt, Arletta Brinson, Martha Ann Peterson, Gwendolyn Webb, Warren Hancock, Walter Chamblee, Andrew Fanning, Ronnie Shields, Charles Glasper, Benjamin McCray, Artie Ware, John Malone, Henry Jackson, James Williams, Howard Fanning. Adults attending were: Mrs. Lucy Shields, Mrs. Ida Watkins, Mrs. Margaret Hall, Miss Hattie Wilker, Miss Clara McCary.

Committee of Conference Report

The Committee of Conference to whom was referred Senate Bill No. 57, An act relative to classification of the permanent positions of senior psychiatrists at the New Hampshire Hospital and relative to the powers of the Governor and Council to fix salaries of unclassified positions, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of non-concurrence and concur in the House amendment.

William R. Johnson
Louis Israel Martel
Conferees on the Part of the Senate

Stuart Hancock
Shirley Clark
Winifred E. Hartigan
Conferees on the Part of the House

The Senate voted to adopt the Report of the Committee of Conference.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 631, relative to water resources, flood control, recreation, conservation, navigation and the construction of an inland navigable waterway from Alton Bay on Lake Winnepesaukee to Great Bay. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out line fifteen and inserting in place thereof the following:

pollution commission and seven members from interested members of

The Senate voted to concur.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 593, to suspend the license of a minor possessing or drinking intoxicating liquor or beverages while driving a motor vehicle. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Motor Vehicle Operation. by Minors. Amend RSA 262:40-a (supp) as inserted by 1959, 216:1 by striking out said section and inserting in place thereof the following: 262:40-a — Transporting or Drinking Alcoholic Beverages. I. Any person under the age of twenty-one years operating a motor vehicle upon the public highway, except when accompanied by parent or legal guardian, and having liquor or beverage in any form in containers, open or unopened, in any part of the vehicle, shall have his license suspended or his right to operate

denied for three months by the director of the division of motor vehicles. The words "liquor" and "beverages" as used in this section shall have the same meaning as defined in RSA 175:1.

II. Any person under the age of twenty-one years operating, or attempting to operate a motor vehicle upon the public highway who has consumed intoxicating liquor or beverage in any form or amount so that the amount of alcohol in said person's blood as defined in RSA 262-A:63 at said time was five 1 hundredths percent or more shall have his license suspended or his right to operate denied for three months by the director of the division of motor vehicles.

On motion of Senator Saggiotes, the reading of the amendment was dispensed with.

The Senate voted to concur.

Committee Reports (continued)

Senator Lamontagne, for the Committee on Banks, Insurance & Claims:

HJR 6, in favor of Florence E. Martelle. Ought to pass.

On motion of Senator Bergeron, further consideration of the above captioned joint resolution and report was made a Special Order of Business for next Monday at 11:01.

Senator English presiding.

Senator Lamontagne, for the Committee on Banks, Insurance & Claims:

HJR 42, in favor of the city of Lebanon. Ought to pass.

Senator Buchanan: "Mr. President, this is a rather peculiar situation. The State Highway was doing some work on the road in Lebanon and in the course of some blasting a chunk of rock flew through the air and landed at some distance on the cowl of a car. \$102 was the amount of the damage done and the city of Lebanon paid it. The city is now asking to be reimbursed by the state who was doing the work. The state was doing the work, even though the workers were from the city. We checked

this with the Attorney General and he approves it. The Committee urges its passage."

The bill was ordered to a third reading.

Senator Buchanan presiding.

Special Order of Business for 11:01

Senator Saggiotes called for it.

It being consideration of HB 469, relating to minimum wages of persons engaged in municipal public works project. Inexpedient to legislate.

Senator Saggiotes stated that he would yield to Senator Martel.

Senator Martel: "Mr. President, this bill would amend Chapter 280 by inserting another exemption. It relates to pre-determination of wage rates. We have exempted municipal employees. However, it was amended in the House to \$7,500, which meant that if any municipality or town wants to seek bids on construction by the same, they do not have to ask the Commissioner for pre-determined rates. However, let me remind you that there was an agreement between Labor and Management that Chapter 280 was amended. Under labor construction means part of the wage structure. The labor representative acceded to the Management's representative by taking out the words 'or of the county or town. This bill is unnecessary. If this bill is passed, it would certainly disrupt the excellent feeling between Labor and Management. In this respect, I support the recommendation."

The recommendation of the Committee, Inexpedient to legislate, was adopted.

On motion of Senator Martel, the Senate refused to reconsider its vote on the above entitled bill.

Special Order of Business for 11:02

Senator Lamprey called for the Special Order.

Being: HB 453, to permit interchange of government employees. Ought to pass.

Senator Lamprey: "Mr. President, I have had an opportunity to get some information on this bill, and more important, I have had an opportunity to read the bill and I am satisfied with the contents of the bill."

The bill was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House Bills:

HB 124, An Act relating to definition of shellfish.

HB 448, An Act relating to the custody an escheat of unclaimed and abandoned property.

HB 609, An Act relative to medical assistance for the aged.

HB 712, An Act to make an apportionment of representatives to the general court.

HB 585, An Act relating to the Monadnock Regional School District.

HJR 1, Joint Resolution providing an appropriation toward reconstruction of Fort at Number Four.

Eda C. Martin
For the Committee

The report was accepted.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Senator Provost, for the Committee on Finance: HB 307, providing for control of aquatic nuisances in any of the surface waters of the State. Ought to pass.

Senator Lamprey: "Mr. President, this has an appropriation of \$64,000. It concerns itself with Lake Winisquam and this is legislation that they have tried to pass for at least four years. \$24,000 of the funds would be to continue the program of the use of copper sulphate. \$40,000 for a pilot plan for research

to see if there can be found what causes the algae. The plant life is being affected and this is a serious problem because of this condition. Therefore, part of this is for research and part of it is for the control of algae, to keep the property owners happy. We recommend that this project be continued."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit the introduction of a Committee Report not previously advertised in the Journal.

Senator Provost, for the Committee on Finance:

HB 624, to appropriate additional funds for capital improvements to technical institutes. Ought to pass.

Senator Lamprey: "Mr. President, this bill would allow an additional appropriation to the capital improvements law of 1963 which is known as Chapter 251, giving \$690,000 for the building of the technical institutes in Berlin, Portsmouth and Manchester. This is an area where an error was made when they were computing the original costs as they claim they left out funds for bathrooms, and entrances to classrooms, etc. This makes up 30% which was overlooked in the rush of getting the bill through the session of the Legislature. Capital improvements do not affect the general funds at the present time."

Senator Martel inquired: "Does this mean that funds that were appropriated in the last session will be added on to this amount in order for actual construction to get immediately under way?"

Senator Lamprey: "That is my understanding. There has been no delay in the actual planning. It is necessary now if these buildings are to be built."

Senator Hunter inquired: "Is it going to be easier to get bills through on a two step basis from now on?"

Senator Lamprey: "More difficult. In 1961, we learned many things about capital improvements. We have made provisions in the budget so that we will not get caught again in this situation."

Senator Lamontagne spoke in support of the motion: "The Portsmouth school authority has started because of Governor

and Council having transferred money. I am sure that Berlin as well as Manchester are going to be very happy to receive this additional money. It is my understanding that what really happened was they took the wrong formula. The plans as far as the school for Berlin has been advanced so they have \$250,000. I support this motion."

Senator Martel: "Mr. President, I would state that I am wholeheartedly in support of this measure because I can tell you how badly we need vocational institutions, not only in this state, but in all states of the union. I come into daily contact with requests to supply young men to learn trades. Particularly in the building trade. In the past, there has not been enough professionals to meet this demand. It is true that we have one in Manchester, but now that the new building has been constructed in Concord, I am sure that this will provide greater facilities for the training. This bill will be of great interest to the general public."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Senator Provost, for the Committee on Finance: HB 793, relative to a study for projecting state fiscal requirements biennially through 1975. Ought to pass.

Senator Lamprey: "Mr. President, this bill carries an appropriation of \$5,000. The title I think tells you exactly what the intent of the bill is and what it proposes to do. It is for a study to be made up of the members of the House, the members of the Senate and the majority of the members being appointed by the Governor to anticipate the fiscal needs through the next ten years. This would pay for travel and expenses for members of the Committee, and would provide for the report that would have to be printed relative to this matter. The Committee voted unanimously for this. I think it is badly needed and that we should have some guide line over the next ten years."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Senator Provost, for the Committee on Finance:

HJR 19, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham. Ought to pass with amendment.

Amend the house joint resolution by striking out all after the title and inserting the following in place thereof.

Whereas, WENH-TV is an educational television station operated and maintained to provide an educational service to the schools and educational institutions of the state and to the general public through a broad adult educational and information program service, and

Whereas, since June 1959 WENH-TV has operated in conformance with the Federal Communications Commission rules and regulations and has maintained an outstanding program service for the majority of the citizens and schools of the state with advice, counsel and partial support of The New Hampshire Educational Broadcasting Council, Inc., now therefore be it

Resolved by the Senate and House of Representatives in General Court Convened:

That the sum of one hundred fifty thousand dollars is hereby appropriated for the period beginning with the passage of this joint resolution and ending June 30, 1966 and one hundred fifty thousand dollars for the fiscal year ending June 30, 1967 for the purpose of contributing to the operating expenses of educational television station WENH-TV, Channel 11, operated by the University of New Hampshire with the advice and counsel of the New Hampshire Educational Broadcasting Council, Inc. The sums hereby appropriated shall be expended for the operation of WENH-TV through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Senator Lamprey: "Mr. President, I think this is the only bill that has been changed by the Senate Finance Committee. The House allowed for the operating cost of Channel 11 at Durham, the sum of \$200,000. Every piece of evidence that we have been able to receive relative to the operation of Channel 11 would require at least \$300,000. They claimed that a request for

\$325,000 would give them the money needed. It is also anticipated that you are going to have incidental costs at Littleton due to the fact that it is necessary to build a booster there. However, the cost of the Littleton station will be in the capital budget or in a special bill rather than being incorporated in this particular piece of legislation. The Finance Committee recommends \$150,000 for each year of the biennium."

Senator English spoke in support of the bill, and amendment.

On motion of Senator Lamprey, reading of the amendment was dispensed with.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Committee of Conference Report

The Committee of Conference to whom was referred HB 340, An Act relative to larceny or unauthorized use of a motor vehicle, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence and concur with the Senate in the adoption of its amendments.

Paul A. Rinden

Richard D. Riley

Conferees on the Part of the Senate

Donald H. Spitzli

G. S. Wildey

Maurice A. Broderick

Conferees on the Part of the House

The Senate voted to adopt the Committee of Conference Report.

Guests

As the guests of Senator Gove, a fine, outstanding young man of whom whose parents may be very proud, Richard Howard, the son of Senator Howard, and Major Gordon Allen.

The Chair declared a Recess of one hour.

(Recess)

The Senate re-assembled.

Senator Buchanan presiding.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 335, to provide a licensing law for practical nurses. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the first six lines and inserting in place thereof the following:

2 Board to Administer. Amend RSA 326:18 (supp), as amended by 1957, 195:3, by striking out the section and inserting in its place the following: 326:18 Administration. The board of nursing education and nurse registration constituted under the provisions of RSA 326-A:3 shall administer the

Amend section 8 of the bill by striking out the first two lines and inserting in place thereof the following:

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills: SB 61, relating to public roads to private recreational areas. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 3 of the bill by striking out the first two lines and inserting in place thereof the following:

3 Loans from Industrial Park Authority. Amend RSA 162-A by inserting after section 6-a as inserted by 1959, 136:1 the follow-

Amend section 4 of the bill by striking out the first two lines and inserting in place thereof the following:

4 Liability for Maintenance. Amend RSA 231, by inserting after section 8 and section 6-a, as inserted by 1961, 170:1 and amended by 1963, 68, the following:

The Senate voted to concur.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 452, An Act relative to the Council of Resources and Development.

HB 501, An Act to change the qualifications for licensing of a barber.

HB 508, An Act to raise the fees charged for registration or licensing of barbers.

SB 29, An Act to redistrict the state into senatorial districts.

HB 367, An Act, extending appropriation for the Beaver Brook dam.

HJR 40, Joint Resolution providing deficiency appropriation for board of accountancy.

HJR 44, Joint Resolution providing for a deficiency appropriation for the division of welfare of the department of health and welfare.

HB 260, An Act relative to private ownership liability exemption.

HB 610, An Act to eliminate relative responsibility in the administration of medical assistance for the aged.

HB 613, An Act relative to town appropriations for railroad passenger service.

HB 633, An Act to clarify the procedure for the delivery of absentee ballots to the moderator.

HB 156, An Act relative to state participation in water pollution control costs.

Eda C. Martin
For the Committee

The report was accepted.

On motion of Senator English, the rules were suspended to permit introduction to a Committee Report not previously advertised in the Journal.

Senator English, for the Committee on Education:

HB 282, to provide an education for physically handicapped children. Ought to pass with amendment.

Amend the bill by striking out RSA 186-A:3, 186-A:4, 186-A:8 and 186-A:9 as inserted by section 1 of the bill and inserting in place thereof the following:

186-A:3 Program Established. The state board of education is authorized to establish a program of special education within the funds appropriated or available and to appoint such personnel as may be necessary for the proper operation of said program.

186-A:4 Enumeration. Every school board shall annually by October first report to the state department of education on forms provided by that department the number of handicapped children in its school district. A later report shall be made when any other handicapped child shall be located in said district.

186-A:8 Tuition of Handicapped Children. Whenever any handicapped child shall attend, with the approval of the state board of education, any public or private school, situated within or outside of this state, which offers special instruction for the training or education of handicapped children and which has been approved for such training by the state board of education, the school district where such handicapped child resides is hereby authorized and empowered any may appropriate and pay a portion of the cost of such education in the manner and up to the amounts as provided by RSA 193:4 and 194:27. The state board of education shall assign pupils to approved schools for the deaf and/or for the blind. The school district in which each such pupil resides shall be liable for tuition of said child in the same manner and amount as specified in RSA 193:4 and 194:27. A school district may pay tuition at a rate higher than the amount specified in RSA 193:4 and 194:27, when in the judgment of the school board the circumstances warrant it.

186-A:9 Transportation. The school board shall furnish suitable transportation to all handicapped children who are able to be so transported from their homes to the place where such instruction or training is to be furnished. However, the liability of a school district for transportation shall not exceed for each pupil transported an amount equal to the

liability to the district for tuition as specified in RSA 193:4. Where the cost of such transportation would constitute an unreasonable expense the school board shall, at the expense of the district, board the children near the place where such instruction or training is to be furnished and shall provide transportation from the place where the children are boarded to the place of instruction or training. A school district may pay for transportation at a rate per pupil higher than the amount of liability for tuition as specified in RSA 193:4, when in the judgment of the school board the circumstances warrant it.

Senator English: "Mr. President, the House amendment is printed on pages 1828 and 1829 and 2200 and 2202. The Senate amendment adds two sentences at the request of the State Board of Education. This has already been approved in advance by the House. The rest is in the line of Engrossed Bills, having to do with spelling, punctuation, etc. There is \$150,000 in the budget. No money in this bill."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator English, the rules were suspended to permit the third reading and final passage of the above entitled bill at the present time.

Third Reading & Final Passage of Bill

HB 282, to provide an education for physically handicapped children.

Committee of Conference Discharged

Senator Rinden: "Mr. President, I wish to report for the Conferees on the part of the Senate to the Committee of Conference about the Resolution relative to prayer in public schools and places. We had a meeting of the Conference Committee this morning and stated that the Senate could not concur with the House amendment as it took the entire meaning from the Resolution. I feel very strongly about the passage of this Resolution. Children need guidance, etc. The House amendment destroys the Resolution. I asked the Conferees of the House if that was a means to defeat the Resolution and they said it was. Said they were going to abide by the supreme court decision. I then asked why they did not come out frankly and attempt to defeat the Resolution on its merit. It seems

that a small group amended it to confuse the issue. I think this type of maneuvering has defeated the intention in the House and I think this matter should be aired and brought out into the open and that we should discharge this Committee of Conference and ask for a new Committee of Conference. I would make that motion that the Committee of Conference on this Resolution be discharged and a new Committee of Conference be appointed."

The Chair inquired who he would like to be appointed from the Senate.

Senator Rinden replied himself and Senator Martel.

Senator Martel: "Mr. President, in reply to the remarks that I have just heard, I am just wondering, although I would be pleased to sit with Senator Rinden, but it would actually be the same Committee of Conference on the part of the Senate and they may do the same thing on the other side of the wall — and that will create the same situation. I would suggest that you name someone else. We are defeating our purpose."

Senator Gove stated that he would be glad to serve.

Senator Rinden stated he appreciated Senator Gove's generous offer, but in view of Senator Martel's remarks, he would request that Senator Martin be named.

The Chair granted the request.

Senator Martel: "Mr. President: I have just noted that my name has been once again taken in vain. This time in an editorial of a certain newspaper, copies of which my colleagues have on their desks. Mr. President, I am not a literary critic and I have never pretended to be. God has endowed me with certain qualifications, and I thank Him for it. I am not interested at this time to look for any other. However, when I see trash, I recognize it as such. *I do not* go out looking for it, for it is all around us every time we enter into the corner store and unfortunately, in too many other establishments. Someone asked me to look over the book in question. I did so. To me, a book is good and has value only if one gathers some good from its reading where it tends to develop character and elevate the mind. If a book does not do this, I personally see no reason to waste any time on it. I can assure you that many of my fellow citizens share this opinion with me. I repeat once again. It disturbs me

that the author of this book is on the University payroll, subsidized by taxpayers' money. The editor of this paper says that the author "could care less, of course, about the intolerant criticism of his book knowing the extent to which the resulting minor tempest has boosted sales." Mr. President, I mentioned this subject once while debating HB 415. I have not spoken about it since. The editor is the one who makes an issue of this. By editorializing frequently on the subject, *he is the one* who is "plugging" the sale of this book. Mr. President, the editor of this newspaper is a trustee of the University. As far as I am concerned, I resent very much the implications that one necessarily derives from reading this book. It puts our University in a bad light. It is an insult to the parents, of those children who attend our University. It is an insult, in my estimation, to the great majority of our students who are clean-cut, studious, and hard-working students. This book does nothing but portray loose moral practices by the proverbial few, creating a mad impression of our student body. If the New York Times critic is entitled to his opinion, then so am I. It is not intolerant criticism, Mr. President. I believe it to be constructive in nature."

Bill Taken From The Table

On motion of Senator Gardner, the following entitled bill was taken from the table:

SB 66, entering into the interstate compact on the placement of children enacting the same into law and for related purposes. On motion of Senator Gardner, the Senate refused to concur with the House and asked for a Committee of Conference.

Pursuant to the above, the Chair named as members of such Committee of Conference on the part of the Senate, Senators Gardner and Riley.

On motion of Senator Tufts, the rules were suspended to permit the introduction of a Committee Report not previously advertised in the Journal.

Senator Tufts, for the Committee on Resources, Recreation & Development:

HB 704, establishing the water pollution commission as an independent agency. Ought to pass.

Senator Tufts: "Mr. President, this bill has been heard in Joint hearing of House and Senate Resources, Recreation & Development Committees. It was heard by the House Committee, sent to the House Appropriations Committee and passed there. I would move to suspend the rules to dispense with the above entitled bill being sent to the Finance Committee."

Senator Johnson spoke in support of the motion and stated that the bill had been considered by the Senate Finance Committee.

The motion was carried.

The bill was ordered to a third reading.

On motion of Senator Tufts, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Senator Tufts, for the Committee on Resources, Recreation & Development:

HB 568, to provide for regulation of passenger tramways and ski areas. Ought to pass.

Senator Tufts: "Mr. President, this bill passed the House. This title is not very self-explanatory—it deals with the skiers and their action and the construction of the ski trails and the boards that are put at the head of the trails. It establishes a color code; green for the easiest; blue for the most difficult, etc. It was amended in the House, in the Journal of June 21, page 2122. It just adds minor words. This has been checked with the tramway board and the ski operators."

Senator Gove: "Mr. President, as one who is an avid skier, although not too good a one, I have taken some interest in this bill. I think this is excellent legislation. I would hope that the motion will carry."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 8, to authorize the sweepstakes commission to pay unclaimed prize money to the state treasurer. Report the same un-

der Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Unclaimed Sweepstakes Prizes. Amend RSA 284 by adding after section 21-0 as inserted by 1965, a new section as follows: 284:21-p Unclaimed Prize.

The Senate voted to concur.

On motion of Senator Martel, the Senate went into afternoon session.

Afternoon Session

Third Reading & Final Passage of Bills & Joint Resolution

SB 129, providing that abandoned railroad rights of way shall be retained for equitation, bicycle, and pedestrian uses only.

HB 298, to allow children to work in certain occupations other than farm or domestic labor.

HB 307, providing for control of aquatic nuisances in any of the surface waters of the state.

HB 453, to permit interchange of government employees.

HB 568, providing for regulation of passenger tramways and ski areas.

On motion of Senator Riley, the Senate refused to reconsider its vote on the above entitled bill.

HB 573, legalizing the proceedings at the town meeting March 9, 1965 in the town of New London.

HB 598, to authorize medical tests as a condition to holding a motor vehicle operator's license.

On motion of Senator Martel, the Senate refused to reconsider its vote on the above entitled bill.

HB 624, to appropriate additional funds for capital improvements to technical institutes.

HB 690, relative to recording of action when school district takes land by eminent domain.

HB 704, establishing the water pollution commission as an independent agency.

HB 793, relative to a study for projecting state fiscal requirements biennially through 1975.

HJR 19, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham.

HJR 42, in favor of the city of Lebanon.

On motion of Senator Johnson, the Senate voted to permit Committee Chairmen to hold hearings on bills passed by the House subsequent to our adjournment today.

Notice of Reconsideration

Senator Riley stated that he wished to serve notice of reconsideration on the following entitled bill:

HB 307, providing for the control of aquatic nuisances in any of the surface waters of the state.

Senator Johnson moved reconsideration of the Senate vote on the above entitled bill.

Senator Martel: "Mr. President, when a Senator serves notice of reconsideration, there it remains on the docket until such time as he speaks for it. I believe that Senator Hunter at one time did this."

Senator Johnson: "Mr. President, I believe the rule is if a Senator asks for reconsideration, then the bill cannot be passed for 24 hours, but if any other Senator asks for reconsideration, it can then be taken up at that time and voted on."

Senator Riley: "Mr. President, I went to the hearing on this bill. Some parts were very controversial. Many people testified at the hearing and two departments went hot and heavy for this bill. I was just wondering what became of it and I just wanted to read over the bill before final passage."

Question being on motion of Senator Johnson for reconsideration of the above entitled bill.

On a *viva voce* vote, the negative prevailed, and the motion to reconsider was lost.

On motion of Senator Green, the Senate adjourned at 4:20 p.m.

FRIDAY, June 25, 1965

The Senate met according to adjournment.

Senator Saggiotes, District No. 8, presiding.

A quorum was present.

Leave of Absence

Senator Blaisdell, District No. 10, was granted leave of absence for the day because of important business. Also, Senator Green because of important business.

Introduction of Guests

As the guest of Senator English, here, with the Representative from Jaffrey, Mr. Desmarais, his nephew, who is a student at Fredericksburg, Maryland.

House Message — First & Second Reading of Bills

HB 313, relative to registration and licensing of special vehicles. Referred to Public Works & Transportation.

HB 373, relating to period of lighting of vehicles. Referred to Public Works & Transportation.

HB 456, to provide voluntary identification cards for sale of alcoholic beverages. Referred to Liquor Laws.

HB 542, relative to the improvement of the natural resources in Seabrook Harbor, tidal lands and waters. Referred to Resources, Recreation & Development.

HB 604, to increase the membership of the Manchester board of health. Referred to Special Committee, consisting of Members of the Manchester Delegation.

HB 740, to require driver education as a condition to the right of certain minors to obtain operator's license. Referred to Public Works & Transportation.

HB 751, relative to state flags. Referred to Military & Veterans Affairs.

HB 777, relative to approved blood tests for military personnel. Referred to Judiciary.

HB 781, to authorize the Plymouth School District to establish a capital reserve with the proceeds of sale of school buildings. Referred to Education.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill sent down from the Senate:

SB 111, providing for certain deductions from retirement benefits for firemen.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 8, to authorize the sweepstakes commission to pay unclaimed prize money to the state treasurer.

SB 61, relating to public roads to public recreational areas.

HB 335, to provide a licensing law for practical nurses.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate: HB 591, to extend the curfew regulations and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Representatives Barker of Stratham; Cole of Swanzey; and Gaffney of Claremont.

On motion of Senator Johnson, the Senate voted to accede to the request of the House.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate: Senators Rinden and Martel.

The Message also stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate: HJR 19, relative to the operating expenses of educational television station WENH-TV, Channel 11, Durham and requests a Committee of Conference: The Speaker has appointed as members of said Committee of Conference on the part of the House: Mrs. DeLude of Unity; O'Neil of Chesterfield; and Mrs. Scott Craig of Hanover.

On motion of Senator English, the Senate voted to accede to the request of the House.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Johnson and Provost.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 260, relative to private ownership liability exemption.

HB 613, relative to town appropriations for railroad passenger service.

HB 610, to eliminate relative responsibility in the administration of medical assistance for the aged.

HB 627, increasing the salaries of the County Commissioners of Sullivan County.

HB 633, to clarify the procedure for the delivery of absentee ballots to the Moderator.

The Message also stated that the House refuses to concur with the Senate in the adoption of the amendments to the following entitled bill sent down from the Senate: HB 667, relating to hearing on enactment of zoning ordinances in towns and requests a Committee of Conference: the Speaker has appointed as members of said Committee of Conference on the part of the House: Cole of Swanzy; Bednar of Hudson; and Hanson of Bow.

On motion of Senator Johnson, the Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference in the Senate, Senators English and Riley.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 439, to amend the charters of certain savings banks.

HB 755, relative to the salary of the Grafton County Attorney.

HB 417, relating to fees for registration of motor vehicles, motor cycles, agricultural vehicles and inspection stations.

HB 282, to provide an education for physically handicapped children.

The Message also stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate: HB 56, to authorize the division of safety services of the department of safety to acquire land to build a boat house and launching ramp and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Stafford of Laconia; Cobleigh of Nashua; and Bruton of Manchester.

On motion of Senator Lamontagne, the Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair named as members of said Committee of Conference on the part of the Senate, Senators Howard and Provost.

The Message also stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

SB 57, relative to classification of the permanent positions of senior psychiatrists at the New Hampshire Hospital and relative to the powers of the Governor and Council to fix salaries of unclassified positions.

The Message also stated that the House has voted to adopt the recommendations of the Committee of Conference to whom was referred the following entitled bill:

HB 340, relative to larceny or unauthorized use of a motor vehicle.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 80, relative to guaranteed loans to students for higher education.

Amend the bill by inserting in the unnumbered paragraph of RSA 186:55 as inserted by section 1 of the bill in line four after the word "level" the following, It shall certify to the state treasurer the total amount of the balance unpaid on loans guaranteed by the state pursuant to section 56 of this subdivision as of June 30th of each year, so that said paragraph as amended shall read as follows:

186:55 Authority and Duties. The committee shall assist qualified resident New Hampshire students to pursue schooling beyond the secondary level. It shall certify to the state treasurer the total amount of the balance unpaid on loans guaranteed by the state pursuant to section 56 of this subdivision as of June 30th of each year. It shall establish rules and regulations which it deems necessary to carry out the purpose of this subdivision. Such rules and regulations shall include the following:

Amend RSA 186:56 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

186:56 Guarantee. The state shall guarantee that any notes properly executed pursuant to the provisions of this subdivision shall be repaid in full together with any accumulated interest thereon, provided, that a condition of such guarantee shall be that in the event of default the lender will exert its normal collection efforts with reference to delinquent loans until assigned to the state as hereinafter provided, and provided further that the total of such guarantees in any one fiscal year shall not exceed one million dollars.

Amend RSA 186:57 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

186:57 Default. The bank shall notify the committee when a note is in default for a ninety-day period and may demand reimbursement within a thirty-day period following notification of the default. Upon receipt of notification that a note is in default, the committee after investigation and a finding that reimbursement is due under the provisions of this subdivision shall certify the same to the governor. The governor is authorized to draw his warrant for the balance due on any defaulted notes so certified, together with any accumulated interest thereon, out of any money in the treasury not otherwise appropriated. Upon such reimbursement the bank shall assign the note to the state, but such assignment may be without representation or warranty, express or implied, and without recourse. Assigned notes shall be delivered to the division of investigation of accounts in the department of administration and control for collection.

Further amend the bill by striking out section 2.

Further amend the bill by renumbering sections 3 and 4 to read sections 2 and 3 respectively.

On motion of Senator Johnson, the reading of the amendment was dispensed with.

Senator Johnson: "Mr. President, the purpose of this amendment is simply to spell out what happens in the case of a default on a loan. That is all that there is to it."

On motion of Senator Johnson, the Senate voted to concur in adoption of the amendment.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 4, relative to the definition of a juvenile.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to delinquent children and procedure in juvenile court.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Children. Amend section 1 of RSA 169, as amended by 1959, 36:1 by striking out said section and inserting in place thereof the following:

169:1 Applicability of Chapter. This chapter shall apply to those delinquent children under the age of seventeen, and those delinquent children with respect to whom a petition is filed hereunder after his seventeenth birthday but before his twenty-first birthday because of an act of delinquency committed before such seventeenth birthday. The chapter shall also apply to neglected children under the age of eighteen years. Jurisdiction acquired by the court of the commissioner of public welfare, under order of the court, over a neglected child shall cease when said neglected child arrives at the age of eighteen. The court's jurisdiction over a delinquent child shall continue until said child arrives at the age of twenty-one years unless he is previously discharged by the court, or jurisdiction over him is released to the superior court.

2 Definition. Amend paragraph III of RSA 169:2 as amended by 1959, 36:2, by striking out said paragraph and inserting in place thereof the following: III. "Child or Juvenile," any neglected boy or girl under the age of eighteen years and any delinquent child as hereinbefore defined whose act or acts of delinquency were committed while he or she was under the age of seventeen.

3 Delinquents. Amend RSA 169:14 by striking out the section and inserting in its place the following: 169:14 Disposition of Delinquents; Probation; Institution Care. When a child is found to be delinquent, the court may commit the child to the industrial school or continue the case with such orders as to care, custody, and probation as justice and the welfare of the child require. After the delinquent has passed the age of seventeen years, the court may, under its continuing jurisdiction, commit him either to the industrial school, house of correction, jail, or state prison, for all or any part of the term of his minority. A summary of the probation officer's investigation shall accompany each commitment. All records pertaining to cases of delinquency shall be kept at all times so that no one, except by court order, other than officers of the institution where the child is committed, duly accredited probation officers and others entrusted with the corrective treatment of said child, shall have access to the same. Any officer or employee of an

institution who permits other than authorized persons to have access to such records, or any officer or employee or person entrusted with the use of the same for corrective purposes, or any one else, who publishes or broadcasts or permits the publication or broadcast of such records or parts of the same, except by court order, shall be in contempt of court. This prohibition shall not be construed to prevent publication as provided in this section or section 27 of this chapter.

4 Delinquents. Amend RSA 169:21-a as inserted by 1963, 170:1 by striking out the words "under the age of eighteen" and inserting in place thereof the words, under the age of seventeen, so that said section as amended shall read as follows: 169:21-a Petition by County Attorney. If facts are presented to the county attorney establishing that a person under the age of seventeen has been guilty of conduct which constitutes a felony or would amount to a felony in the case of an adult and if such person is not within the jurisdiction of this state, the county attorney may file a petition with the judge of the municipal court which would otherwise have jurisdiction under the provisions of this chapter. The petition shall set forth the nature of the offense with which the person is charged and shall specify his whereabouts if known. On receipt of such petition the court may summarily order the county attorney to proceed against such person under regular criminal procedures, and without regard to the provisions of this chapter. Pending determination by the superior court as herein provided and pending final disposition of the matter such person shall be bailable with sufficient sureties as in the case of adults and in default thereof may be committed to the custody of the probation officer or detained at the industrial school unless detention elsewhere is ordered by the superior court. The superior court shall determine, after hearing, whether such person shall be treated as a juvenile under the provisions of this chapter or whether the case shall be disposed of according to regular criminal procedures.

5 Restriction. Amend RSA 169:27 by striking out the section and inserting in its place the following: 169:27 Publication of Delinquency Restricted. It shall be unlawful for any newspaper to publish, or any radio or television station to broadcast or make public the name or address or any other particular information serving to identify any juvenile delinquent arrested, without the express permission of the court,

and it shall be unlawful for any newspaper to publish, or any radio or television station to make public, any of the proceedings of any juvenile court. Nothing in this section or section 14 as amended shall be construed to prevent publication without using the name of the delinquent of information which shall be furnished by the court about the disposition of a case when the delinquent act would constitute a felony if it were the act of an adult.

6 Penalty. Amend RSA 169:28 by striking out the section and inserting in its place the following: 169:2-p Penalty for Forbidden Publication. The publisher of any newspaper or the manager, owner or person in control of a radio or television station who may violate any provision of section 27 shall be fined not less than twenty-five dollars or more than two hundred dollars.

7 Amend RSA 621:11, as amended by 1957, 71:1 and 1963, 213:1, by striking out the word "eighteen" in the second line and inserting in its place the word, seventeen, and by inserting after the word "municipal" in the seventh and twelfth lines the words, or district, so the section is amended to read as follows:

621:11 Minors Under Seventeen. Whenever a minor under the age of seventeen years shall be convicted of an offense punishable by imprisonment he may be sentenced to the industrial school for the term of his minority, except where said minor is found guilty by the superior court under the provisions of RSA 169:21; provided that nothing shall prevent such sentence being suspended under the provisions of any other law. Pending final disposition of a case by a municipal or district court the minor may be retained in the custody of the person in charge of the minor, or in the custody of a probation officer, provided however, that if the court places such minor in the custody of the industrial school, final disposition of his case shall be made within thirty days of such commitment and provided further, that where the minor has committed a felony, the municipal or district court may commit said minor to the custody of the probation officer or require that sureties be furnished for his appearance before the superior court, or in default thereof be committed to the industrial school to await disposition of the case by said superior court.

8 Amend RSA 621:12 by striking out the word "eighteen" in the first line and inserting in its place the word, seventeen, so the section is amended to read as follows:

621:12 Delinquents, etc. Whenever a minor under the age of seventeen is committed to the industrial school under the provisions of chapter 169, RSA, it shall be for the term of his minority.

9 Amend RSA 621:16 by striking out the word "eighteen" in the first line and inserting in its place the word, seventeen, so the section is amended to read as follows:

612:16 Committals for Detention. Minors under the age of seventeen committed to the school under the provisions of chapter 169, RSA, shall not be subject to the provisions hereof relative to release, trial placement, parole and discharge, though they shall be subject to the treatment hereinafter provided for incorrigibles until such time as their cases are disposed of by the court.

10 Amend RSA 618:6, as amended by 1963, 213:2, by striking out the word "eighteen" in the fifth line and inserting in place thereof the word, seventeen, so the section is amended to read as follows:

618:6 Place of Committal. Any person sentenced to pay a fine shall be ordered to be imprisoned until sentence is performed, or he is otherwise legally discharged, in the house of correction or jail of the county. This section shall not be construed as authorizing the confinement of any juvenile under the age of seventeen years in a house of correction or jail for the non-payment of a fine.

11 Takes Effect. This act shall take effect sixty days after its passage.

On motion of Senator Howard, the reading of the amendment was dispensed with.

Senator Waterhouse: "Mr. President, all this amendment does is to take care of so-called neglected children and be sure that the judges have full authority to place them where they want to as opposed to what was originally called delinquent children."

On motion of Senator Waterhouse, the Senate voted to concur in adoption of amendment.

The Message also stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 101, relative to the recognition of certain marriages performed out of the state.

Amend section 1 of the bill by inserting after the word "state" in the eighth line the words, by persons not domiciled in this state, and further amend the section by inserting after the word "state" in the twelfth line the words, subsequent to such marriage, so the section is amended to read as follows:

1 Marriages. Amend RSA 457:3 by striking out said section and inserting in place thereof the following: 457:3 Effect of Marriage. Every marriage contracted by parties within the degrees prohibited by the two preceding sections is incestuous and void, and the issue of such marriage illegitimate, provided, however, that any marriage legally contracted outside of this state by persons not domiciled in this state and valid in the jurisdiction where contracted shall be recognized as valid in this state for all purposes if or once the said contracting parties are or become permanent residents of this state subsequent to such marriage and the issue of any such marriage shall be legitimate.

Senator Lamontagne: "Mr. President, there is a small change that has been made in first cousin marriages. I concur with the House amendment. What the amendment does is to say that no resident of New Hampshire will go into another state to get married and then come back to New Hampshire. In other words, it has to be someone coming from another state that does recognize first cousin marriages. No one in New Hampshire can marry their first cousin."

On motion of Senator Lamontagne, the Senate voted to concur in adoption of amendment.

The Message also stated that the House refuses to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 102, increasing the number of fire commissioners for the city of Manchester.

SB 103, increasing the number of highway commissioners for the city of Manchester.

SB 120, relative to offensive advertising which can be viewed from the public highway.

Introduction, First & Second Reading of Senate Bills

SB 134, to grant immunity in prosecutions from mob action. (Johnson) Referred to Judiciary.

Senator Johnson: "Mr. President, I would move to dispense with the printing, and that the bill be printed in the Journal. It is technical in nature."

Senator Martel: "Mr. President, this bill is designed to take care of two sections of the law which were inadvertently left out of the bill that was passed last week."

On a *viva voce* vote, the motion offered by Senator Johnson carried.

1 New Sections. Amend RSA 609-A as inserted by laws of 1965, chapter 167, by adding the following new sections: 609-A:7 Official Immunity. If in the effort to suppress mob action and to arrest and secure the persons participating in it any such person or any other person in the area is killed or wounded or any injury is done to persons or property, the magistrates, officers and persons acting with them shall be immune from any and all civil liability to pay damages for death or injury to persons or property.

609-A:8 Witnesses' Privilege. No person shall be excused from giving evidence upon an investigation or prosecution for any of the offenses specified in this article upon the ground that the evidence might tend to convict him of a crime, if such evidence is requested by the state; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him upon any criminal investigation or proceeding, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

2 National Guard. Amend RSA 110-A:6 as inserted by 1957, 147:1 by adding after the word "riot" on the second line thereof the words, mob action, so that said section as amended reads as follows: 110-A:6 Ordering National Guard into Active State Service. I. The governor shall have power, in case of invasion, disaster, insurrection, riot, mob action, breach of the peace, resistance to process of this state, or imminent danger thereof, to order into the active service of the state for such period, to such extent and in such manner as he may deem necessary all or any part of the national guard. Such power shall include the power to order the national guard or any part thereof to function under the operational control of the United States army, navy or air force commander in charge of the defense of any area within the state which is invaded or attacked or is or may be threatened with invasion or attack.

3 Takes Effect. This act shall take effect immediately upon passage.

SB 135, to regulate motorcycle and motor vehicle races and related matters (Martel). Referred to Judiciary.

Committee Reports

Senator Provost, for the Committee on Finance: HB 145, relative to authorizing matching federal payments for the fiscal years 1966 and 1967. Ought to pass.

Senator Johnson: "Mr. President, this bill continues the Man Power training act in this state. This is a federal program in which the federal government pays 90% and the State pays 10%. The amount is \$78,000 and the money is in the budget. This bill spells out how these funds shall be used."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 639, relative to completion of certain capital improvements at Keene and Plymouth state colleges and extending the appropriation therefor. Ought to pass.

Senator Johnson: "Mr. President, this is a bill whereby Keene and Plymouth have started some buildings and the buildings are not yet finished. The funds set aside must be available for the next biennium in order that they may not lapse. This simply says that the funds will not lapse."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 106, providing additional retirement allowances for certain retired teachers. Ought to pass.

Senator Howard: "Mr. President, this is a housekeeping bill that is introduced every session and it brings teachers who were retired before 1957 in line with the present. It amounts to \$9,964."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 487, relative to state aid for class V highways in towns. Ought to pass.

Senator Howard: "Mr. President, this is also a housekeeping bill introduced every session. It is for the Duncan road program in which the towns pay about 15% and the State pays the rest."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 446, relative to town road aid. Ought to pass.

Senator Howard: "Mr. President, this is another housekeeping bill. TRA program in the State pays around 70 or 80% and the towns pay the rest."

The bill was ordered to a third reading.

Senator Provost, for the Committee on Finance: HB 43, making appropriations for county extension agents. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 University of New Hampshire. Amend RSA 187:23 as amended by 1957, 312:1 by striking out said section and inserting in place thereof the following: 187:23 County Extension Work. There shall be appropriated annually by the state the sum of one hundred and eleven thousand four hundred dollars for the purpose of conducting cooperative extension work in agriculture and home economics in the various counties of the state in cooperation with the federal department of agriculture and the said counties and in furtherance of the so-called Smith-Lever Act as accepted by the state under the provisions of

chapters 194 and 195 of the Laws of 1915. The sums herein appropriated shall be expended through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. From said appropriation there shall be paid not exceeding the sum of six thousand six hundred dollars per year toward the maintenance of a county agricultural agent, a county home economist and a 4-H youth development agent in any county which shall appropriate at least an equal amount for said purpose in said county; and there shall be paid not exceeding the sum of two thousand two hundred dollars per year toward the maintenance of each assistant agent, and six thousand dollars toward the maintenance of each of five area agents in agriculture. The sums hereinbefore appropriated shall be paid to the treasurer of the university and college in four equal installments on the first day of July, October, January and April of each fiscal year.

2 Appropriation. In addition to the annual appropriation provided in the appropriation act for county extension work under RSA 187:23, there is hereby appropriated for the same purpose the sum of Nineteen thousand dollars for the fiscal year ending June 30, 1967.

3 Takes Effect. This act shall take effect as of July 1, 1966.

On motion of Senator Gardner, the reading of the amendment was dispensed with, same having been printed on Page 1364 of the Journal.

Senator Gardner: "Mr. President, we are all familiar with the County Extension Service Program. At present there are five Assistant and Associate Agricultural Agents. These serve the counties of Coos, Grafton, Hillsborough, Merrimack and Rockingham. It was felt that there would be greater service rendered if they had Area Agents, then they could be exchanged within the five counties, whenever and wherever the need was greatest.

"There would be three assigned to Dairy, one to Horticulture and one to Poultry. This program will be of tremendous benefit to the farmers.

"This will increase the appropriation \$19,000.00. However, there will be a saving of \$14,095 in county funds as no county funds would be required. The committee recommended that this program be inaugurated the second year of the biennium."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Provost, for the Special Committee, consisting of the Manchester Delegation: HB 362, providing for increasing the number of deputy registrars for the city of Manchester. Ought to pass.

Senator Provost: "Mr. President, this bill is for one part time Clerk in the rush season. All were in favor."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments: HB 257, to regulate the filing of plans for land sub divisions. Ought to pass.

Senator Buchanan: "Mr. President, this bill authorizes the County Delegates to require that, in the filing of plans for land sub divisions with their respective Register of Deeds, that such plans meet certain specifications under which the plans are drawn. They want something of the vellum type, more than the usual blueprints. The Register of Deeds in Rockingham County appeared in favor and brought with her some of the plans that have been filed after a number of years of storage. It was very evident that something more substantial than this should be provided. It is not obligatory and action must be taken by each County Delegation before this goes into effect. There was no opposition. I had understood that an amendment was to be offered."

Senator Hunter offered the following amendment:

Amend the bill by inserting after section 2 the following new section 3:

3 Approval of Site Plan. Amend RSA 36 by inserting after section 19, as amended by 1963, 163:1, the following new section:

36:19-a Further Power of Planning Boards. A municipality, having adopted a zoning ordinance as provided in RSA 31:60-89, and where the planning board has adopted subdivision regulations as provided in sections 19-24 hereof, may further empower the planning board to review, and approve or disapprove site plans for the development of tracts for non-residential uses whether or not such development includes a subdivision or re-subdivision of the site.

Further amend the bill by renumbering section 3 to read 4.

Senator Hunter spoke in support: "Mr. President, in way of explanation, it is now not within the jurisdiction of the planning board to review some previous sub division plots. All this does is to ask that the planning board can review for purpose of adding an industry in an area or for any purpose, but it is to be able to review. It gives them the right to review land that has already been designated in an area."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments: HB 697, amending the charter of the New Hampshire Congregational-Christian Conference and changing the name of said corporation. Ought to pass.

Senator Buchanan: "Mr. President, the Congregational-Christian Conference has united with the American Religious Conference recently and is known now as the United Church of Christ. The bill simply changes the name of the organization to that extent. They had to wait until after the Conference last month to do this and there was no opposition."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments: HB 730, to clarify the method of procedure of casting absentee ballots by the Moderator. Ought to pass.

Senator Buchanan: "Mr. President, this is a housekeeping bill. Presently, the Moderator in a voting district is permitted to open absentee ballots in such a fashion that he may recognize how the voter voted. This bill requires that he open the envelope, check the name off on the checklist and then the inside ballot loses its identity."

The bill was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Governments: HB 696, to reduce residence requirement to vote for presidential election. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in its place the following:

1 Residence Qualification for Voting at Elections of President and Vice President. Amend RSA 65 by adding two new sections to the chapter as follows:

65:1-a Qualification for Voting. Notwithstanding the residence requirements of RSA 54:8, a person who has moved from another state to this state or from one town or city within the state to another town or city within the state, and who has been a resident of this state for thirty days preceding an election at which electors are to be chosen for the office of president and vice president of the United States, is entitled to vote in this state solely for such electors if the person is qualified to vote in this state, other than by reason of the residence requirements of RSA 54:8.

65:1-b Voting Procedure. For the purpose of RSA 65:1-a the supervisors of the checklist shall prepare a separate checklist for voters qualified to vote under that section. The secretary of state shall prepare a separate ballot for persons voting under that section which ballot shall be a different color from any other ballot used in that election. No special absentee ballots are authorized for persons who qualify to vote for presidential electors solely by reason of RSA 65:1-a. On the special ballot required by that section the names of the voting districts are not required to be printed. The secretary of state shall furnish fifty special ballots for towns and wards of less than five thousand population and one hundred special ballots for towns and wards of over five thousand population. The secretary of state shall furnish additional ballots if the supervisors of the checklist request them.

On motion of Senator Buchanan, the reading of the amendment was dispensed, same having been printed in the Journal on Page 1368.

Senator Buchanan: "Mr. President, in the last presidential election, many of us have felt that the residence requirement to vote in the state — six months — works an undue hardship. The reason is so that people moving into New Hampshire be a little more conversant with the political atmosphere of the state before participating in our elections. However, people moving into New Hampshire are certainly as familiar with the situation nationally in their home state. This provides only

for presidential election year. The amendment has to do with the Secretary of State's duties in this regard. It will require another check list. This solves, at least in this state, the objection which many of us heard last fall that people moving into New Hampshire could not vote because of this law. The opposition of the Secretary of State was to some of the mechanics which have been taken care of in the amendment."

Senator Hunter inquired: "Being on the border, will this entail someone moving in for a short period to vote? Will it involve any time period?"

Senator Buchanan: "Thirty days."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Foley, for the Committee on Executive Depts., Municipal & County Government: HB 226, to regulate the operation of business on Sunday. Inexpedient to legislate.

Senator Buchanan: "Mr. President, this is a perennial bill; a perennial headache. This bill was referred to the Legislative Council at the last session. It was acted on by the Judiciary Committee in the House. It is impossible to change the law in such a fashion that everybody will be happy. It was the studied opinion of our Committee that if we enacted this bill, less people would be happy than they are at present. Therefore, this is the reason that we have decided to recommend that it is inexpedient."

Senator Rinden inquired: "Was there any thought given to cutting out the amendments which were adopted by the House?"

Senator Buchanan: "Yes, but rather than get into any hassle, we decided to report it as inexpedient. The amendment in the House did eliminate some of the 'blue laws' of the state."

The recommendation of the Committee was adopted.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 681, relative to the salary of, and amount of fees collected by, the register of deeds for Grafton County. Report the same under Joint Rule 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of said bill by striking out the first four lines and inserting in place thereof the following:

2 Grafton County. Amend RSA 478 by inserting after section 17-a (supp) as inserted by 1963, 201:2 the following new section: 478:17-b Register of Deeds, Fees. The register of deeds for

Amend paragraph IX of RSA 478:17-b as inserted by section 2 of said bill by striking out the first line and inserting in place thereof the following:

IX. The register of deeds

The Senate voted to concur.

Announcement by the Chair

"The Chair would state that the following Committee Chairmen have withdrawn the following Committee Reports:

"Senator English (Education) HB 666, relative to election of school district officers. Ought to pass.

"Senator Saggiotes (Labor) HB 345, relative to a finding of disability or death of municipal firemen due to heart and lung disease, in workmen's compensation proceedings. (Refer to Commissioner of Labor for study by labor and management representatives and report back to the 1967 General Court.

"Senator Buchanan (Executive Depts., Municipal & County Governments) HB 602, relating to the sale of insurance. Ought to pass."

Introduction of Guests

As the guest of Senator Johnson, Honorable Jagdish Jha, Chairman of the Ways & Means Committee: National Legislature of Nepal. He is touring the United States as the guest of the State Department. He is a guest of Representative Williamson of Goshen at today's sessions. He has visited 18 State Legislatures to date. Also, as the guest of the Senate, Representative Williamson of Goshen.

On motion of Senator Gardner, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Gardner, for the Committee on Finance: HJR 8, in favor of the New Hampshire Veterans Association. Ought to pass.

Senator Gardner: "Mr. President, this joint resolution provides \$1500 for the New Hampshire Veterans Association. This has been passed every session since 1953."

The joint resolution was ordered to a third reading.

On motion of Senator Lamontagne, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Lamontagne, for the Committee on Public Works: HB 3, to require the inclusion of an automatic fire protection system in the plans and specifications of state owned buildings. Inexpedient to legislate.

Senator Lamontagne: "Mr. President, the reason that I asked for this — the state has several buildings now in process. It has 60 days to take effect. It would increase the cost. At this time, the Committee felt that because of the lateness of the session, it should be reported as inexpedient."

Senator Gove: "Mr. President, this bill did have a rather extensive hearing and we had the state fire marshal and Norman Myer, Treasurer at the University of New Hampshire. The testimony seemed to indicate that the state buildings, and those responsible for these buildings, especially at the University of New Hampshire, were giving reasonable and good cooperation between the fire marshal and those responsible for the fire-proofing and construction of these buildings. It would cost the state about \$600,000 to implement it and we felt that it was not in the best interests of the state of New Hampshire that this be considered."

The Senate voted to adopt the recommendation of the Committee.

On motion of Senator Johnson, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance: HB 509, creating an office of community recreation service. Ought to pass with amendment.

Amend the bill by striking out section "2" and renumbering section "3" to read section 2.

Senator Johnson: "Mr. President, this bill sets up a state community service director under the division of parks. The funds for this bill are now in the budget and the amendment simply strikes out the appropriation."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator English, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Education: HB 781, to authorize the Plymouth School District to establish a capital reserve with the proceeds of sale of school building. Ought to pass.

Senator English: "Mr. President, this has to do with the Plymouth School District which has obsolete buildings which they propose to sell. This bill simply provides that the money received go into the capital reserve fund for future building use."

The bill was ordered to a third reading.

On motion of Senator Gove, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Gove, for the Committee on Public Works & Transportation:

SB 112, relative to powers and duties of the aeronautics commission. Ought to pass.

Senator Gove: "Mr. President, this bill was heard this morning. It was introduced by Senator Foley. It has to do with increasing the authority of the aeronautics commission to acquire and operate small airports and also to look into the possibility of having an airport in the Portsmouth area where much of the economic life and growth of the community could be benefitted by doing this. It carries an appropriation of \$75,000. It received favorable support from the witnesses at the hearing and we felt that time being as it is that we would pass this along as quickly as possible and therefore, to favor recommendation of the passage of this bill."

The bill was referred to the Finance Committee, under the rules.

Senator Foley offered the following Concurrent Resolution which was referred to the Committee on Judiciary:

Concurrent Resolution Proposing a Constitutional Amendment

No. 4

Concurrent Resolution Proposing a Constitutional Amendment No. 4 relative to filling senatorial vacancies.

Be it Resolved by the Senate, the House of Representatives Concurring, that the Constitution of New Hampshire be amended as follows

I. That Article 34 of Part Second of the Constitution of New Hampshire be amended by inserting after the words "in every district of the state" at the end of the second sentence the words, and in case the person receiving a plurality of votes in any district is found by the Senate not to be qualified to be seated, a new election shall be held forthwith in said district, so that the article is amended to read as follows:

Art. 34. Vacancies in Senate, How Filled. And in case there shall not appear to be a senator elected, by a plurality of votes,

for any district, the deficiency shall be supplied in the following manner, viz. The members of the house of representatives, and such senators as shall be declared elected, shall take the names of the two persons having the highest number of votes in the district, and out of them shall elect, by joint ballot, the senator wanted for such district; and in this manner all such vacancies shall be filled up, in every district of the state, and in case the person receiving a plurality of votes in any district is found by the Senate not to be qualified to be seated, a new election shall be held forthwith in said district. All vacancies in the senate arising by death, removal out of the state, or otherwise, except from failure to elect, shall be filled by a new election by the people of the district upon the requisition of the governor, as soon as may be after such vacancies shall happen.

II. *Resolved*, That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the regular biennial election to be held in November, 1966.

III. *Resolved*, That the selectmen of the several towns, cities, wards, and places in the state are directed to insert in their warrants for the 1966 election an article to the following effect: To take the sense of the qualified voters whether the amendments of the constitution proposed by the 1965 session of the general court shall be approved.

IV. *Resolved*, That the sense of the qualified voters shall be taken by ballot upon the following question submitted to them by the general court:

1. Do you favor requiring a new election in case the person receiving a plurality of votes in any senatorial district is found by the Senate not to be qualified to be seated?

V. *Resolved*, That the secretary of state be required to print the question to be thus submitted on the same ballot that other constitutional questions proposed by the constitutional convention and general court are submitted. Upon the ballot containing the question shall be printed the word "Yes" with a square near it at the right hand of the question; and immediately below the word "Yes" shall be printed the word "No" with a square near it at the right hand of the question; and the voter desiring to vote upon the question shall make a cross in the square of his choice. If no cross is made in a square beside the question the ballot shall not be counted on the

question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments Proposed by the Convention to Revise the Constitution and Amendments Proposed by the 1965 General Court" shall be added at the top of the ballot in bold type.

VI. *Resolved*, That if the proposed amendment is approved by the requisite number of votes it becomes effective when its adoption is proclaimed by the Governor.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: SB 126, relating to absentee voting on annual city elections in Berlin. Ought to pass.

Senator Buchanan: "Mr. President, this is a housekeeping bill for the city of Berlin. Berlin has enjoyed absentee ballot privileges for the municipal elections, but there are some loopholes in the present law and the people of Berlin wish this to be clarified, and the Secretary of State, as well."

Senator Lamontagne: "Mr. President, in addition to what has been said by the Senator from the 12th District that this bill is to tighten up the absentee voting in the city of Berlin, by a person who is going to be out of town on election day. The bill says that the voter will have to get to the City Clerk's office to cast his ballot. For a disabled person, a friend, a Party worker or a relative will be able to go to the City Clerk's office, sign the application of acceptance for the disabled person and will be responsible to bring to and from this disabled person, his ballot. Any forgery shall be under a penalty under the present law.

"The reason why this bill was introduced is because absentee ballots were in different individuals' pockets and even today, I have an application for a ballot for Berlin that I should not have, but this law will only tighten up the absentee voting in Berlin."

The bill was ordered to a third reading.

On motion of Senator Gove, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Riley, for the Committee on Public Works & Transportation: HJR 46, to establish an interim study on uniform vehicle laws. Ought to pass.

Senator Gove: "Mr. President, this bill also will direct itself to the Finance Committee. It sets up an interim study committee that has been going on for the past four years, to make more uniform the motor vehicle laws throughout the country."

The bill was referred to Committee on Finance, under the rules.

On motion of Senator Hunter, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Hunter, for the Committee on Resources, Recreation & Development: HB 542, relative to the improvement of the natural resources in Seabrook Harbor, tidal lands and waters. Ought to pass.

Senator Hunter: "Mr. President, this is a local matter and it simply asks the right to get federal money in conjunction with their own money and to use any gifts, contributions, etc., to improve the harbor entry."

On further motion of Senator Hunter, the rules were suspended to dispense with referral of the above entitled bill to committee, holding of public hearings, and the bill was ordered to third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 452, relative to the improvement of the natural resources in Seabrook Harbor, tidal lands and waters.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and Joint Resolutions:

HB 8, An Act to authorize the sweepstakes commission to pay unclaimed prize money to the state treasurer.

HB 453, An Act to permit interchange of government employees.

HB 185, An Act raising the limit of guaranteed bonds of water resources board.

HB 335, An Act to provide a licensing law for practical nurses.

HB 573, An Act legalizing the proceedings at the town meeting March 9, 1965, in the town of New London.

HB 690, An Act relative to recording of action when school district takes land by eminent domain.

SB 61, An Act relating to public roads to private recreational areas.

HJR 42, Joint Resolution in favor of the city of Lebanon.

HB 307, An Act providing for control of aquatic nuisances in any of the surface waters of the state.

HB 562, An Act relative to campaign expenses in presidential preference and delegate primaries.

HB 624, An Act to appropriate additional funds for capital improvements to technical institutes.

HB 755, An Act relative to the salary of the Grafton county attorney.

HB 793, An Act relative to a study for projecting state fiscal requirements biennially through 1975.

HB 598, An Act to authorize certain medical tests as a condition to holding of a motor vehicle operator's license.

HB 627, An Act increasing the salary of the county commissioners of Sullivan county.

HJR 43, Joint Resolution in favor of Alex C. Isherwood of Jaffrey.

HB 576, An Act to establish the city of Exeter.

HB 677, An Act to repeal charters of certain corporations.

Eda C. Martin
For the Committee

The report was accepted.

On motion of Senator Tufts, the rules were suspended to permit the introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Tufts, for the Committee on Resources, Recreation & Development: Concurrent Resolution relative to construction of an inland navigable waterway from Alton Bay on Lake Winnepesaukee to the tidal waters at Great Bay in the State of New Hampshire. Ought to pass.

Senator Tufts: "Mr. President, this has passed the House. No state funds necessary and we recommend its passage."

Senator Waterhouse inquired: "I would like to know the reason and the thinking in back of this."

Senator Tufts: "This is not a truly fantastic idea. As far as I can see, it is asking for discussion relative to plans and formulate the study. As the Senator from the 23rd District has said, this is looking to the future."

The Concurrent Resolution was adopted.

On motion of Senator Buchanan, the rules were suspended to permit the introduction of eight Committee Reports, not previously advertised in the Journal.

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 131, for the election of County Commissioners for the County Districts of Cheshire County. Ought to pass.

Senator Buchanan: "Mr. President, this bill, as the title indicates, provides for election of County Commissioners by District in Cheshire County, as is the case in most Counties. The District lines have already been drawn up and exist in the law and this will allow the people to vote for these people. They must not only be a resident of the County, but a resident in the District. There was no opposition."

The bill was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 592, providing additional retirement allowances for certain retired state employees. Ought to pass.

Senator Buchanan: "Mr. President, in brief, this bill, which I think is as important as SB 1, will provide increases in retirement for certain retired state employees. Those of us on the Committee were appalled at the amount that retired state employees are receiving — about \$70 or \$80 per month. This is simply to bring them up a little closer and ties in with the state employees. This will have to go to Finance."

The bill was referred to Finance, under the rules.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Government: HB 708, enabling the Association of Universalist Women of Manchester, N. H. and Branch Alliance of the First Unitarian Church of Manchester, N. H. to consolidate into one corporation, named, Unitarian-Universalist Women's Guild. Ought to pass.

Senator Buchanan: "Mr. President, this provides for the incorporation of these two organizations to consolidate in one corporation, named the Unitarian-Universalist Women's Guild."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: HB 709, enabling the First Universalist Society of Manchester, N. H. First Unitarian Society of Manchester, N. H. and Unitarian-Universalist Church of Manchester, N. H. to consolidate into one corporation named, Unitarian-Universalist Church of Manchester, N. H. Ought to pass.

Senator Buchanan: "Mr. President, this is the companion bill to the above bill. Truly, I think the bills should have been numbered in reverse. This bill provides for the consolidation of the above organizations to consolidate into one corporation, with the name of Unitarian-Universalist Church of Manchester, N. H."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: HB 731, relative to solicita-

tion of funds for religious, benevolent or philanthropic purposes. Ought to pass.

Senator Buchanan: "Mr. President, this bill will put some teeth in the law in this state to preclude the milking of the public of solicited funds. At the present time, a fund organization can move into this state and solicit funds for a recognized association and the proponents of the bill pointed out that they raise some \$4,000 and almost all of this generally goes to the fund raising association and a very small portion to the organization itself. This will authorize the director to bring complaints on action of this type. There was no opposition."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: SB 127, to annex part of the city of Berlin to the unincorporated place of Success. Recommend that the bill be referred to the Legislative Council.

Senator Buchanan: "Mr. President, there is so little time left in this session and there is opposition in the city of Berlin, so the sponsor wishes to refer the bill to the Legislative Council."

Senator Lamontagne: "Mr. President, this bill was introduced for the Brown Company and was to provide for an Industrial Park, by taking some land away from Berlin and placing it in Success where there would be a reduction in taxes — only the school and county taxes. There are no children in the township of Success. The Brown Company was very much in favor of this bill. At the same time, the Mayor and Council appeared in opposition. Since that time, the Brown Company has come out and said that they are going to spend about \$10,000 for improvements. That is the reason that I did ask the Committee to keep the bill alive by referring it to the Legislative Council. Actually, nothing will be done unless the Mayor and Council and the Brown Company do agree. Therefore, if the parties can get together and come to some agreement. I think this is a good idea. No place in New Hampshire can you put up an Industrial Park where the taxes will be so low. Also, where we have legislation where towns to be incorporated must have at least 50 people — this is a protection."

The recommendation of the Committee was adopted.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 198, relative to adopting of building codes and fire prevention codes by cities. Ought to pass with amendment.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Building Codes and Fire Prevention Codes. Amend RSA 47:22 (supp) as amended by 1963, 232:1, by striking out in lines thirteen through fifteen the words "code, rules and regulations in the office of the city clerk, and, in the case of a fire prevention code or portion thereof, three copies in the main office of the fire department" and inserting in place thereof the words, codes, rules and regulations in the main office of the municipal department or agency administering the same and three copies in the office of the city clerk, so that said section as amended shall read as follows: 47:22 Grant of Power. The board of mayor and aldermen, or the corresponding governmental body of any city, is hereby empowered and authorized in the passing and adopting of ordinances, establishing codes, rules and regulations for the construction of buildings, relating to the installation of plumbing, the use of concrete, masonry, metal, iron and wood, and other building material, the installation of electric wiring, and fire protection incident thereto or for the prevention of fires to adopt any nationally recognized code, rules and regulations to develop good engineering practice or safety that have been printed as a code in book form or such portions thereof by reference thereto in such ordinance; provided, that upon adoption of such ordinance wherein such code, rules and regulations or portion thereof have been incorporated by reference, there shall be filed three copies of such codes, rules and regulations in the main office of the municipal department or agency administering the same and three copies in the office of the city clerk. All copies of any code, rules and regulations filed as provided herein, shall be for use and examination by the public.

On motion of Senator Buchanan, reading of the amendment was dispensed with.

Senator Buchanan: "Mr. President, this is rather an innocuous bill, which has to do with the filing of building and other codes and regulations in the cities. The present law provides that these be filed at the office of the City Clerk and Fire De-

partment. This changes it so that the three copies of the building code be filed in the Mayor's office and three copies at the office of the City Clerk. There is a clarifying law. There was no opposition."

The bill was ordered to a third reading.

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments:

HJR 47, in favor of Albert D. Clarke and Ida M. Clarke. Ought to pass.

Senator Buchanan: "Mr. President, this joint resolution should have gone to Finance as there is an appropriation in it. However, it was referred to our Committee and Mr. and Mrs. Clarke from Massachusetts were here this morning. While travelling on Route 3 in Tilton in 1961, a branch hanging over the highway fell across the windshield of their car, smashed it and caused damage to it and to the Clarks. The sum of \$5,000 is asked in the original bill, but the figure is now \$2,500. There was no opposition and I know it must go to Finance Committee."

The bill was referred to Finance Committee, under the rules.

House Message

The House of Representatives has voted to concur with the Senate in its amendments to the following entitled bill:

HB 282, to provide an education for physically handicapped children.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 593, to suspend the license of a minor possessing or drinking alcoholic liquor or beverages while driving a motor vehicle.

HB 631, relative to water resources, flood control, recreation, conservation, navigation and the construction of an inland navigable waterway from Alton Bay on Lake Winnepesaukee to Great Bay.

On motion of Senator Martel, the rules were suspended to permit all business in order for this afternoon at 2 o'clock to be in order at the present time.

Third Reading & Final Passage of Bills & Joint Resolutions

SB 126, relating to absentee voting in annual city elections in Berlin.

HB 43, making appropriation for county extension agents.

HB 106, providing additional retirement allowances for certain retired teachers.

HB 131, for the election of County Commisisoners for the County District of Cheshire County.

HB 145, relative to the authorizing matching federal payments for the fiescal years 1966 and 1967.

HB 198, relative to adoption of building codes and fire prevention codes by cities.

HB 257, to regulate the filing of plans for land sub division.

HB 362, providing for increasing of number of deputy registrars for the City of Manchester.

HB 466, relative to town road aid.

HB 487, relative to state aid for Class V highways in towns.

HB 509, creating an office of community recreation service.

HB 639, relative to completion of certain capital improvements at Keene and Plymouth state colleges and extending the appropriations therefor.

HB 696, to reduce residence retirement to vote for presidential election.

HB 697, amending the charters of the New Hampshire Congregational-Christian Conference and changing the name of said corporation.

HB 708, enabling the Association of Universalist Women of Manchester, N. H. and branch alliance of the First Unitarian Church of Manchester, N. H. to consolidate into one corporation named, Unitarian-Universalist Women's Guild.

HB 709, enabling the First Universalist Society of Manchester, N. H., First Unitarian Society of Manchester, N. H. and Unitarian-Universalist Church of Manchester, N. H. to consolidate into one corporation named Unitarian-Universalist Church of Manchester, N. H.

HB 730, to clarify the method of procedure of casting absentee ballots by the Moderator.

HB 731, relative to solicitation of funds for religious, benevolent or philanthropic purposes.

HB 781, to authorize the Plymouth School District to establish a capital reserve with the proceeds of the sale of school building.

HJR 8, in favor of New Hampshire Veterans Association.

On motion of Senator Martel, the Senate adjourned at 2:05 p.m. to meet next Monday morning at 11 o'clock.

MONDAY, June 28, 1965

The Senate met according to adjournment.

A quorum was present.

House Message — First & Second Reading of Bills

HB 213, relative to the salaries of county attorneys. Referred to Executive Depts., Municipal & County Governments.

HB 374, to clarify the area school plan and the law relating to the school building authority. Referred to Education.

HB 403, relating to fish bait, taking of pheasants and use of boats on Long Pond in Benton. Referred to Fisheries & Game.

HB 420, to revise the ward boundaries of the city of Nashua. Referred to Executive Depts., Municipal & County Governments.

HB 484, relative to minimum wages of employees in public works. Referred to Labor.

HB 662, relative to the salaries of unclassified state officials. Referred to Finance.

HB 684, relative to elections in the city of Keene. Referred to Executive Depts., Municipal & County Governments.

HB 705, relative to representative town meeting government. Referred to Judiciary.

HB 716, relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation. Referred to Labor.

HB 724, relative to sale of liquor to members of associations affiliated with certain clubs. Referred to Liquor Laws.

HB 733, relating to employment in places of business where alcoholic beverages and beer are sold. Referred to Liquor Laws.

HB 736, to regulate the recording of deeds in subdivision of land plats. Referred to Judiciary.

HB 738, permitting state, county and towns to require certain recipients of welfare to perform labor for the state, county, or town government. Referred to Health, Welfare & State Institutions.

HB 739, to establish a state commission for human rights. Referred to Judiciary.

HB 748, relative to procedure for re-assessments of taxable property by the tax commission. Referred to Ways & Means.

HB 758, relative to the selection of juror. Referred to Judiciary.

HB 759, relative to auctioneers. Referred to Executive Depts., Municipal & County Governments.

HB 765, relating to hearings in enactment of building code ordinances. Referred to Judiciary.

HB 787, to authorize seeing eye dogs to accompany their masters into public eating places. Referred to Health, Welfare & State Institutions.

HB 790, legalizing the proceedings of the annual town meeting held in the town of Epping. Referred to Executive Depts., Municipal & County Governments.

HB 769, clarifying duties, responsibilities and qualifications in the department of health and welfare. Referred to Health, Welfare & State Institutions.

HB 747, relative to the charter of the city of Manchester. Referred to the Special Committee, consisting of the Manchester Delegation.

HB 783, relative to establishment of state junior colleges. Referred to Finance.

HB 32, relative to time for taking deer. Referred to Fisheries & Game.

HB 782, making appropriations for capital improvements and long term repairs for the state of New Hampshire. Referred to Finance.

The Message also stated that the House of Representatives refuses to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 33, relative to advertising in publications of political parties.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 696, to reduce residence requirements to vote for presidential election.

HB 257, to regulate the filing of plans for land subdivisions.

HB 198, relative to adoption of building codes and fire prevention codes by cities.

HB 509, creating an office of community recreation service.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 76, relative to the exemption from tax on neat stock and poultry.

SB 85, relative to the town of Hampton Municipal Development Authority.

SB 93, relative to taxation of property of the Mount Washington Cog Railway.

SB 124, changing the date on which tax collectors' deeds become incontestable.

SB 131, to legalize the proceedings of the annual meeting of the Hooksett School District.

SB 48, relating to hairdressers.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 282, to provide an education for handicapped children, and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Taft of Greenville; Craig of Manchester & O'Neil of Chesterfield.

On motion of Senator Gardner, the Senate voted to accede to the request of the House.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Gardner and Bergeron.

The Message also stated that the House has voted to accede to the request of the Senate for a Committee of Conference on the following entitled bill:

SB 66, entering into the interstate compact on the placement of children, enacting the same into law and for related purposes. And the Speaker has appointed as members of said Committee on the part of the House: Heald of Keene; Maxham of Concord; and Craig of Manchester.

Committee of Conference Report

The Committee of Conference to whom was referred HB 56, An Act to authorize the division of safety services of the department of safety to acquire land to build a boat house and launching ramp, after considering the same reports the bill with the following recommendations:

That the House recede from its position of nonconcurrence in the senate amendment; and

That the Senate recede from its position in adopting its amendment; and

That the House and Senate adopt the following amendment:

Amend the title of the bill by striking out the same and inserting in place thereof the following: An Act authorizing the division of safety services of the department of safety to purchase certain real property including the buildings and equipment thereon in the town of Gilford and making an appropriation therefor.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Purchase of Goodhue Boat Yard. Amend paragraph VIII of 1963, 251:1 by striking out the same and inserting in place thereof the following:

VIII. Department of safety:
Division of safety services:

Purchase of certain waterfront real property on Lake Win-nepesaukee (approximately 300 feet frontage) with the new building thereon including all fixtures therein and the travel-lift and elevator thereon, known as the

Goodhue Boat Yard	\$120,000
Less boat house reserve approved by governor and council	30,000
	<hr/>
	\$90,000
Alterations to and purchase of equipment and fixtures for said building to make usable also as state police substation	25,000
	<hr/>
Total	\$115,000

Further amend the bill by inserting the following new section 2:

2 Borrowing Authority Increased. Amend 1963, 251 as amended by inserting after section 17 the following new section: 251:17-a Borrowing Increased. The authority granted to borrow funds under the provisions of sections 8, 9, 10, 11, 12 and 13 of this act is increased relative to the appropriations made in section 1 of this act by forty thousand dollars.

Further amend the bill by renumbering section 2 to read section 3.

Conferees for the Senate
Sen. Howard of Dist. No. 7
Sen. Provost of Dist. No. 18

Conferees for the House
Mr. Stafford of Laconia
Mr. Cobleigh of Nashua
Mr. Bruton of Manchester

On motion of Senator Howard, the reading of the Committee of Conference was dispensed with.

On motion of Senator Howard, the Senate voted to concur in adoption of the Report of the Committee of Conference.'

Committee Reports

Senator Rinden, for the Committee on Judiciary:

HB 404, relating to district and municipal courts. Ought to pass with amendment.

Amend section 1 of the bill by striking out in line five the word "Concord" so that said section as amended shall read as follows:

1 Civil Cases. Amend paragraph I of RSA 502-A:14, as inserted by 1963, 331:1, by striking out the paragraph and inserting in its place the following: I. Exclusive Jurisdiction. Manchester, Nashua, and Keene District Courts shall have original and exclusive jurisdiction of civil case in which the damages claimed do not exceed five hundred dollars, the title to real estate is not involved and the defendant resides within the district. In all such actions as herein provided the parties shall be heard by the justice or special justice and the findings of fact shall be final but questions of law may be transferred to the supreme court in the same manner as from the superior court. In addition, each such court shall have concurrent jurisdiction with the superior court of civil actions for damages in which the damages claimed exceed five hundred dollars but do not exceed fifteen hundred dollars with the powers conferred upon other district courts in the exercise of concurrent jurisdiction with the superior court by paragraph II and II (a) and (b) hereof.

Senator Rinden: "Mr. President, this covers several technical changes in the municipal court law. The amendment applies to the area of jurisdiction. Some of the aspects are in the application to the time given for taking an appeal through the district court. The place of jurisdiction is changed from county to district in one section. One section refers to small claims—that section is altered. Also, it pertains to the obligations of the Henniker district court and towns included. You might say that this is a whole lot of changes affecting the district court act. This legislation was supported and actually drawn up by the Judicial Council and appears to have merit and the Committee went along with its adoption."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Saggiotes, for the Committee on Labor:

SB 96, relating to compensation for total disability. Inexpedient to legislate.

Senator Saggiotes: "Mr. President, I would move that this be made a Special Order of Business for tomorrow morning at 11:01 due to the fact that the sponsor of the bill, Senator Johnson, was unaware that the bill was being reported today and I wish to extend to him this courtesy."

The motion for Special Order carried.

Senator Riley, for the Committee on Health, Welfare & State Institutions:

HB 732, to prohibit forging or altering a prescription under the drug law. Ought to pass.

Senator Gardner: "Mr. President, this is a new section under 318:52. The purpose is to prevent falsifying prescriptions. It will also bring those who do under the penalty and imprisonment section in the drug law."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation:

HB 670, relative to the registration of buses. Ought to pass.

Senator Gove: "Mr. President, this is a simple bill, introduced by Representative Collishaw. It allows for lower registra-

tion fees for buses that are used to transport children to Sunday School. We felt that it was a good bill and there was no opposition to it."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 658, relative to movement of house trailers or mobile homes. Ought to pass.

Senator Gove: "Mr. President, this bill had the endorsement of the municipal association, and the backing of the City Tax Collector and it merely regulates the use and permit that people have for moving trailers to satisfy the local covering fee that the tax shall have been paid before these mobile units leave the town or leave the city. It requires a permit."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 529, naming the Tenny Mountain Highway. Ought to pass.

Senator Gove: "Mr. President, the title of the bill is self-explanatory. There is a proposed highway that would by-pass Plymouth and go toward Tenny Mountain. It was felt that this was appropriate to be done and there was no opposition."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 59, relative to construction of buildings to be used by the public. Ought to pass.

Senator Gove: "Mr. President, this bill would allow for the erection of ramps in all newly constructed buildings built by the state or county government. It was felt that this was desirable."

The bill was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 320, to prohibit the sale and use of regrooved tires. Inexpedient to legislate.

Senator Gove: "Mr. President, this was a good bill. It was introduced in the House by Representative Donald Welch of Ward 8, in Concord, but we saw fit to include the thought of this bill in HB 608, relative to standards for tires on motor

vehicles and trailers, so we make it our recommendation that this bill be reported as Inexpedient to legislate."

The recommendation of the Committee, Inexpedient to legislate, was adopted.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 608, relative to standards for tires on motor vehicles and trailers. Ought to pass with amendment.

Amend paragraph II of RSA 263:85 as inserted by section 1 of the bill by adding at the end the words, It is unlawful for any person to use or sell any used passenger car tires that have been regrooved., so that the paragraph is amended to read as follows:

II. "Special mileage commercial tire" shall mean a tire manufactured with an extra layer of rubber between the cord body and original tread design, which extra layer is designed for the purpose of recutting or regrooving, and which tire is specifically labelled as a special mileage commercial tire. It is unlawful for any person to use or sell any used passenger car tires that have been regrooved.

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 223, to regulate extension of operators' licenses of members of armed forces during a war. Ought to pass with amendment.

Amend the bill by striking out paragraph II of RSA 261:15 as inserted by section 1 and insert in place thereof the following:

II. The provisions of this section become effective when the United States is at war as declared by Congress or by proclamation of the President of the United States, or when such member of the armed forces is actually engaged in a combat zone of an undeclared war.

Senator Gove: "Mr. President, this bill came before our Committee some month or so ago and I was prevailed upon to strike it from the Calendar and rehear it. In the meantime, the Safety Commissioner and Mr. Gould got together with the sponsor of the bill and offered an amendment. In substance, the bill as amended would permit members in the armed serv-

ices in a combat area to receive their license free. There was no objection to this."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 196, providing additional retirement allowances for certain retired teachers. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Teachers' Retirement System. Amend RSA 192 by inserting after section 25, as inserted by 1965, 159:1 the following new section: 192:26

Amend section 2 of said bill by striking out the third line and inserting in place thereof the following:

provided under RSA 192:26 as hereinbefore inserted,

On motion of Senator Gove, the reading of the amendment was dispensed with.

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills:

Senator Blaisdell, District No. 10, presiding.

Senator Lamontagne, for the Committee on Public Works & Transportation: HB 713, relative to the application of motor vehicle laws to certain non-public ways. Ought to pass.

Senator Gove: "Mr. President, this bill would regulate the use of motor vehicles in such places as the State Hospital grounds and the University of New Hampshire, Plymouth and Keene state colleges where many people have violated ordinary motor vehicles rules and cannot be apprehended. We felt that this was a good bill and a needed bill and it carries the unanimous opinion that it ought to pass."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 446, relative to town road aid. Report the same under

Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1 Town Road Aid. Amend subsection (a) of RSA 241:2, as amended by 1955, 333:3 and 1957, 273:3 by striking

Further amend said section 1 by striking out the 7th line and inserting in place thereof the following:

apportion, on the basis of a sum of not less than one million two

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills: HB 704, establishing the water pollution commission as an independent agency. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 11 of the bill by striking out the first line and insert in place thereof the following:

11 Repeal. I. RSA 126-A:21, as inserted by 1961, 222:1, relative to

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills: HB 615, relative to salary of the sheriff of Grafton County. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Grafton County Sheriff. Amend RSA 104:29, as amended by 1955, 172:1, 247:1, 1957, 156:1, 309:4, 1961, 175:1, 1963, 129:1, 1965, 162:1 and 190:1, by striking out the entire section and inserting in its place the following: 104:29 I. Salaries of Sheriffs. The annual salaries of the sheriffs of the below named counties shall be as follows:

(a) In Strafford, two thousand dollars.

(b) In Belknap, fifteen hundred dollars, payable in twelve monthly installments.

- (c) In Carroll, twelve hundred dollars.
- (d) In Merrimack, two thousand dollars.
- (e) In Hillsborough, two thousand four hundred dollars.
- (f) In Coos, two thousand dollars.

II. In Rockingham the annual salary of the sheriff shall be nine thousand five hundred dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

III. In Sullivan the annual salary of the sheriff shall be eight thousand dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

IV. In Cheshire the annual salary of the sheriff shall be nine thousand five hundred dollars which shall be paid monthly. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage

allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

V. In Grafton the annual salary of the sheriff shall be nine thousand five hundred dollars, payable in twelve monthly installments. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2 Takes Effect. This act shall take effect July 11, 1965, provided, however, that paragraph V of RSA 104:29 as inserted by section 1 of this act shall not take effect until January 1, 1966.

On motion of Senator Mitchell, the reading of the amendment was dispensed with.

The Senate voted to concur.

Senator Lamprey presiding.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills.

HB 131, An Act for the election of county commissioners for the county districts of Cheshire county.

HB 145, An Act relative to authorizing matching federal payments for the fiscal years 1966 and 1967.

HB 362, An Act providing for increasing the number of deputy registrars for the city of Manchester.

HB 487, An Act relative to state aid for class V highways in towns.

HB 542, An Act relative to the improvement of the natural resources in Seabrook Harbor, tidal lands and waters.

HB 697, An Act amending the charter of the New Hampshire Congregational-Christian Conference and changing the name of said corporation.

HB 708, An Act enabling the Association of Universalist Women of Manchester, New Hampshire, and Branch Alliance of the First Unitarian Church of Manchester, N.H., to consolidate into one corporation named, Unitarian-Universalist Women's Guild.

HB 709, An Act enabling the First Universalist Society of Manchester, New Hampshire, First Unitarian Society of Manchester, New Hampshire and Unitarian-Universalist Church of Manchester, New Hampshire to consolidate into one corporation named, Unitarian-Universalist Church of Manchester, N. H.

HB 730, An Act to clarify the method of procedure of casting absentee ballots by the moderator.

HB 731, An Act relative to solicitation of funds for religious, benevolent or philanthropic purpose.

HB 781, An Act to authorize the Plymouth School District to establish a capital reserve with the proceeds of sale of school buildings.

HJR 8, Joint Resolution in favor of the New Hampshire Veterans Association.

HB 215, An Act to amend the law establishing a cooperative school district in the Newfound area.

HB 417, An Act relating to fees for registration of motor vehicles, motor cycles, agricultural vehicles and inspection stations.

HB 568, An Act to provide for regulation of passenger tramways and skiing areas.

HB 593, An Act to suspend the license of a minor possessing or drinking intoxicating liquor or beverages while driving a motor vehicle.

HB 631, An Act relative to water resources, flood control, recreation, conservation, navigation and the construction of an inland navigable waterway from Alton Bay on Lake Winnepesaukee to Great Bay.

HB 439, An Act to amend the charter of certain savings banks.

SB 111, An Act providing for certain deductions from retirement benefits for firemen.

Eda C. Martin
For the Committee

The report was accepted.

House Message

The House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution

Whereas, the statutes relating to the health, welfare, support, protection and adoption of children have undergone frequent revision and modification, many provisions are obsolete, and others are unsound, and

Whereas, there is no clear-cut distinction made between statutes as they relate to delinquent as opposed to neglected children, and

Whereas, each Session of the Legislature is called upon to consider numerous proposals affecting these and other welfare statutes, and

Whereas, all welfare statutes are interrelated with laws concerning residence, settlement, town and county poor persons, adoption and licensing of child placing and child care institutions, and

Whereas, it is in the interest of sound and effective administration to coordinate, to clarify, to revise, and to modernize such welfare provisions, now therefore be it

Resolved, by the Senate and House of Representatives in General Court convened:

That a comprehensive study of the welfare laws of the state shall be undertaken, specifically chapters 164, 165, 166, 167 and 169 of New Hampshire Revised Statutes Annotated, with respect to the adequacy of such laws to provide for the needs of the populace, to fully utilize aid and assistance available from the United States government, to distribute and allocate the expense of such welfare programs in an economically sound manner, to provide for the economical and efficient administration of welfare programs, and to clearly express the intention of the Legislature consistent with other laws of the state, and be it further

Resolved, that the Office of Legislative Services is hereby directed to initiate and conduct such a study with the assistance of the Judicial Council and the Office of the Attorney General and the Office of Legislative Services may call upon the Judicial Council to review and approve all recommendations made under the terms of this resolution, and be it further

Resolved, that the Office of Legislative Services recommend to the next session of the General Court revisions of the Welfare Laws of the State for the correction of such inadequacies as it shall find to exist.

The Chair referred the above Concurrent Resolution to the Committee on Health, Welfare & State Institutions.

Committee Reports

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments:

HB 207, relative to assessors in the city of Rochester. Ought to pass, with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 City of Rochester. Amend section 19 of chapter 241 of the laws of 1891 by striking out said section and inserting in place thereof the following:

Section 19. The city council at their first meeting in January 1966 and thereafter in every second year shall appoint a full time assessor of taxes for a term of two years who shall perform all the duties and assume all the responsibilities and liabilities of assessors of taxes. At the same time the council shall appoint two other part time assessors of taxes, one for a term of two years and one for a term of four years, and in every second year thereafter the council shall appoint a part time assessor for a term of four years. The part time assessors, with the full time assessor, shall hear and determine all applications for abatement of taxes. The part time assessors shall assist the full time assessor at other times and upon other occasions when he requests them to do so.

On motion of Senator Buchanan, the reading of the amendment was dispensed with, same having been printed in the Journal.

Senator Buchanan: "Mr. President, this bill, introduced through the House, received the support of the entire Rochester Delegation. The amendment was offered by Senator Bergeron and simply clarifies Section 19 of their appointment with respect to the term of office of these assessors. This was concerning their pay and we recommend its passage."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 432, relating to the organization of savings banks. Ought to pass with amendment.

Amend RSA 386-A:4 as inserted by section 1 of the bill by striking out the third sentence and inserting in place thereof the following new sentence, An examination fee of five hundred dollars, payable to the bank commissioner, shall be paid when the petition is filed and may be used to defray the expenses of the proceedings on the petition, any remaining balance to be paid to the state treasury for the credit of the bank commissioner., so that said paragraph as amended shall read as follows:

386-A:4 Petition. A petition requesting approval of the proposed incorporation shall be filed with the bank commis-

sioner. The petition shall be upon such form as may be prescribed by the bank commissioner and shall contain all the information required by such form, signed and verified under oath by the incorporators, to which shall be annexed a signed duplicate of the articles of agreement. An examination fee of five hundred dollars, payable to the bank commissioner, shall be paid when the petition is filed and may be used to defray the expenses of the proceedings on the petition, any remaining balance to be paid to the state treasury for the credit of the bank commissioner. The bank commissioner shall examine each petition and if he finds that it is duly completed, he shall forthwith refer the petition to the board of trust company incorporation. The bank commissioner shall then make such investigation of each petition as he considers expedient, for the purpose of more fully informing the board.

Amend RSA 386-A:6 as inserted by section 1 of the bill by inserting after the first sentence the following new sentences, The board shall keep a permanent verbatim record of all such evidence. The petitioners shall submit to the board in open hearing full information as to the identity and background of each person, firm or corporation who has subscribed to the initial capital of the proposed bank., so that said paragraph as amended shall read as follows:

386-A:6 Hearing. The board shall hear such evidence as may be presented by the petitioners and all other interested persons, firms and corporations, including members of the general public. The board shall keep a permanent verbatim record of all such evidence. The petitioners shall submit to the board in open hearing full information as to the identity and background of each person, firm or corporation who has subscribed to the initial capital of the proposed bank. In making its decision on each petition, the board shall not take favorable action unless it determines that:

(1) the bank will serve a useful purpose in the community in which it is proposed to be established,

(2) There is a reasonable expectation of its financial success,

(3) its operation will not cause undue injury to existing institutions that accept funds from savers on deposit or share accounts, and

(4) the applicants are persons of good character and responsibility, and

(5) there is reasonable prospect of raising such amount of initial capital funds as the board may determine to be reasonably necessary, but not less than the requirements of section 21 of this chapter.

Amend RSA 386-A:14 as inserted by section 1 of the bill by striking out the last sentence and inserting in place thereof the following new sentence, If they find that the public convenience and advantage will be served by the establishment of such corporation, that the proposed management of such corporation will be of satisfactory character, knowledge and experience in the field of banking, and that the proceedings in other respects conform to the provisions of this chapter, they shall so certify and endorse their approval upon the certificate., so that said paragraph as amended shall read as follows:

386-A:14 Approval of. Such certificate shall be submitted to the board of trust company incorporation, who shall examine the certificate, and who may require such amendment thereof or such additional information as they may consider necessary. If they find that the public convenience and advantage will be served by the establishment of such corporation, that the proposed management of such corporation will be of satisfactory character, knowledge and experience in the field of banking, and that the proceedings in other respects conform to the provisions of this chapter, they shall so certify and endorse their approval upon the certificate.

Amend RSA 386-A:17 as inserted by section 1 of the bill by striking out in line 9 the word "existence" and inserting in place thereof the word, existence, so that said paragraph as amended shall read as follows:

386-A:17 Certificate or Record as Evidence. The secretary of state shall also cause a record of the certificate of incorporation to be made, and such certificate, or such record or a certified copy thereof shall be conclusive evidence of the existence of such corporation.

Add the following new paragraph after RSA 386-A:19 as inserted by section 1 of the bill:

386-A:19-a Deposit Insurance. It shall be unlawful for any such corporation to commence business until it has quali-

fied as a bank whose deposits are insured by the Federal Deposit Insurance Corporation or by any successor thereto. The bank commissioner may cause any such corporation to cease doing business whenever it ceases to be qualified as required in this section.

Amend RSA 386-A:21 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following new section:

386-A:21 Minimum Capital Requirements and Guaranty Fund. The initial capital required to organize a savings bank shall consist of the following minimum amounts in cash or such greater sum as may be reasonably required by the board: fifty thousand dollars in towns and cities of not more than six thousand inhabitants, one hundred thousand dollars in towns and cities of more than six thousand inhabitants and not more than fifty thousand inhabitants, and two hundred thousand dollars in those of more than fifty thousand inhabitants. Such initial capital shall be subdivided into a special reserve and an initial surplus, in amounts fixed by the board. All amounts advanced for such purpose shall be evidenced by transferable capital debentures, in the case of a mutual savings bank, and by special deposit or capital stock, in the case of a guaranty savings bank. Such special reserve shall be used only for the purpose of meeting losses, but this restriction shall not apply to the initial surplus. The provisions of RSA 386:9 and 12 shall determine the required additions to capital funds for the purpose of building a guaranty fund and a guaranty fund surplus; and the commissioner may require any such bank to increase its capital funds or regulate the amount of its deposits, from time to time, as may be necessary, to comply with reasonable banking standards, not inconsistent with law.

Amend RSA 286-A:22 as inserted by section 1 of the bill by striking out the third sentence and inserting in place thereof the following new sentence, The total amount of the capital debentures or special deposits of such corporation held by any other savings bank shall not at any time exceed ten percent of the total capital debentures or special deposits issued by such corporation., so that said paragraph as amended shall read as follows:

386-A:22 Capital Debentures and Special Deposit. The issuance of capital debentures, including increases therein, shall be governed by the provisions of RSA 384:14-a (supp), except as otherwise provided in this chapter; but the commissioner shall first approve the maturity, interest rate, and repayment provisions of each such debenture. No retirement of capital debentures, in whole or in part, shall be permitted which would leave the guaranty fund, or the guaranty fund plus the remaining special reserve, less in amount than the full and unimpaired guaranty fund required of such a bank under general law. The total amount of the capital debentures or special deposits of such corporation held by any other savings bank shall not at any time exceed ten percent of the total capital debentures or special deposits issued by such corporation. Such capital debentures shall be transferable only on the books of the corporation and shall be subordinate to all general deposits and to all other debts, claims and obligations of the bank. The issuance of special deposit or capital stock, including increases therein, shall be governed by the provisions of RSA 386:12-17.

Amend RSA 386-A:26-30, inclusive, as inserted by section 1 of the bill by striking out said sections.

Senator Buchanan: "Mr. President: Now savings banks are the only types of state-chartered financial institutions required to obtain charters directly from the General Court.

"The purpose of this bill is (1) to establish a procedure for chartering savings banks similar to that which has been available to all other types of financial institutions for 44 years or more. (2) To establish standards for organization of new savings banks to protect the interests of the general public and banks already in operation and for the guidance of state officials concerned with banking.

"HB 432, is *not* a bill to create any new savings bank *at the present time*..

"The Chartering procedure established under the bill is similar to those established by the General Court. (a) 44 years ago for Credit Unions (1921) with approval of the Bank Commissioner. (b) 50 years ago for Trust Companies (1915) with approval of the Board of Trust Company Incorporation. (c) 60 years ago for Building and Loan Associations and Cooperative

Banks (1905) with approval of the Bank Commissioner. (d) 46 years ago for other types of business organizations (1919) with approval of the Attorney General.

“National banks have been chartered under a similar arrangement by the Comptroller of the Currency for more than 100 years (1863).

New Hampshire's newest savings bank is 58 years old (Claremont). It obtained its charter in 1907 directly from the General Court.

“Since 1907 the General Court has imposed wide-spread and rigid standards for the operation of savings banks (and other state-chartered financial institutions) but has not set terms under which a new savings bank might be organized.

HB 432 sets standards to guide prospective organizers of new savings banks and authorizes the Board of Trust Company Incorporation and the Bank Commissioner to determine that those standards are met before granting a charter to a new bank.

“The standards are as nearly equal to the standards for organizing new trust companies as the difference in types of institutions permits.”

The amendment was adopted, and the bill as amended was ordered to a third reading.

Order Vacated

On motion of Senator Howard, the order whereby the following entitled bill was referred to the Committee on Public Works & Transportation was vacated and the bill was referred to the Committee on Finance.

HB 396, to provide a procedure for final payment to contractors on public contracts.

On motion of Senator English, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Judiciary: HB 734, to clarify the procedure on challenges of absentee ballots. Ought to pass.

Senator English spoke in support.

The bill was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: SB 133, relating to temporary loans in anticipation of the incurrence of long term debt. Ought to pass.

Senator Buchanan: "Mr. President, at the present time, by using the provisions of law regarding temporary loans, they are able to secure a loan without making a payment for four years. This bill would limit that to one year on a temporary loan before they must take out the permanent loan. It was advocated by the Tax Commission upon suggestion by a Boston legal firm which specializes in this type of bonds."

The bill was ordered to a third reading.

On motion of Senator Mitchell, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Mitchell, for the Committee on Liquor Laws: HB 456, to provide voluntary identification cards for sale of alcoholic beverages. Ought to pass.

Senator Mitchell: "Mr. President, this bill, amended in the House, changes the title—the original bill said 'beer.' This is a very good bill. It allows anyone to get an identification card—must have their picture—and has to be approved by the Town Clerk. At least, every six months, one-half of the amount must be forwarded to the Liquor Commission. Changes the fine from \$50 to \$100. There was no opposition and the Committee believes that it is a good bill."

The bill was ordered to a third reading.

On motion of Senator Blaisdell, the rules were suspended to dispense with referral to Committee, holding of public hearings, and the bill taken up at the present time:

HB 684, relative to elections in the city of Keene.

Senator Blaisdell: "Mr. President, this is strictly a house-keeping bill and I would say that the Keene Delegation was in favor of it. It was introduced at the request of the City Clerk of Keene and there was no opposition."

The bill was ordered to a third reading.

House Message

The House of Representatives has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 56, authorizing the division of safety services of the department of safety to purchase certain real property including the buildings and equipment thereon in the town of Gilford and making an appropriation therefor.

On motion of Senator Howard, the reading of the Report was dispensed with.

On motion of the same Senator, the Senate voted to concur in adoption of Report of the Committee of Conference.

The Chair recognized Senator Lamontagne, under personal privilege: "Mr. President, last Friday, through the Committee on Executive Depts., the Senate voted in favor of this bill: HB 126, relating to absentee voting in annual city elections in Berlin. I never thought this bill would be referred in the House to the Committee on Judiciary. I know of no one who was in opposition. This is a local matter and concerns no one but Berlin and their absentee voting. I put this bill in. At one time, we were the only city to adopt this absentee voting. Now, this bill has been sent to the House Judiciary Committee. I resent this being done. This is a local problem. A serious problem in Berlin. In one ward, 10% of the people voted absentee. With only 6,000 people voting. Certainly, this bill is good. It had no opposition in either Party. This bill would tighten up the absentee voting in Berlin. I don't like it to go to the Judiciary Committee. I want it to go to the Berlin Delegation and have it acted on by our people. I don't know who is responsible for sending this to Judiciary, but I certainly want it to be sent where it belongs and that is to the Berlin Delegation."

On motion of Senator Buchanan, the rules were suspended to dispense with referral to Committee, holding of public hearing, and the bill taken up at the present time:

HB 240, to revise the ward boundaries of the city of Nashua.

Senator Buchanan: "Mr. President, this is a bill that was introduced in ample time but by order of the supreme court, had to be held until after the re-apportionment bill of the House and the re-districting bill in the Senate were passed. It changes the ward boundaries in Nashua. It does not increase the wards — they still have nine wards. It simply changes the ward lines more equally. Ward 1 will have two Representatives, and every other Ward will have three Representatives. The bill does not affect the present representatives in either body. If there is a special session called within the next 18 months, the present legislators from the city of Nashua will serve in their present capacity. This is purely a local matter and has the unanimous support of the Nashua Delegation in the House."

The bill was ordered to a third reading.

Special Order of Business at 11:01

Senator Bergeron called for it.

Banks, Insurance & Claims: Ought to pass.

Being consideration of HJR 6, in favor of Florence E. Martelle.

Senator Buchanan: "Mr. President, this joint resolution, I believe was explained in a previous session of the Senate. This lady came to a Coffee sponsored by the Democrat Party in honor of Governor King and she slipped and fell on the old tile. There were some medical bills and services involved. Mr. Weston appeared at the hearing and said that the Governor would sign the joint resolution. If anybody has anything to attach, this is the place to put it."

The joint resolution was ordered to a third reading.

Senator Foley offered the following Resolution, which was adopted:

Resolutions Congratulating Captain John L. Holmes, Jr.

Whereas, John L. Holmes, Jr., Captain, United States Navy, is Administrative Officer of the Portsmouth Naval Shipyard; and

Whereas, Captain Holmes has fulfilled all of his naval duties in a most creditable manner; and

Whereas, After many years of faithful service, he is retiring; now, therefore, be it

Resolved, That the Senate of the State of New Hampshire send Captain Holmes its grateful thanks and wish him God's speed and happiness in his well earned retirement; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to Captain Holmes.

The Chair declared a one hour Recess

(Recess)

The Senate re-assembled.

Senator English presiding.

Committee of Conference Report

The Committee on Conference, to whom was referred HB 653, An Act making appropriation for the expenses of certain departments of the state for the year ending June 30, 1966, having considered the same report the same with the following recommendations:

The Committee on Conference, to whom was referred House Bill No. 653, An Act making appropriation for the expenses of certain departments of the state for the year ending June 30, 1966, having considered the same report the same with the following recommendations:

That the House recede from its position of non-concurrence and that the House and Senate concur in the adoption of the following amendments:

Amend the appropriation for legislative branch by striking out the same and inserting in place thereof the following:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account and which shall be for the expenses of the legislature, including \$244,000 for the office of legislative budget assistant to the appropriations and finance committees, \$71,500 for the office of legislative services, and \$21,500 for the office of research analyst to the senate finance committee as follows: (Salary of legislative budget assistant \$17,500, other expenditures \$226,500#) (Legislative services—Other expenditures \$71,500##) (Salary of research analyst to senate finance committee \$9,500, other expenditures \$12,000###) \$730,038

Travel and expenses authorized by

RSA 14-A:3 (Supp) *		12,500
Legislative council*		2,500
Council of state governments		3,600
Reimbursement for travel expenses incurred while attending the national legislative leaders conference:		
Lucien E. Bergeron	524	
Estate of Samuel Green	528	
Cecil Charles Humphreys	542	
Nathan T. Battles	527	2,121

Reimbursement of travel expenses incurred while attending meetings as duly appointed members of the uniform vehicle laws study committee:

Russell G. Claflin	81	
Scott Eastman	27	
George M. McGee, Sr.	49	
Malcolm J. Stevenson	55	
George S. Wildey	97	309

Reimbursement for expenses incurred while attending hearings of the governor's budget committee:

Louis I. Martel	61
William H. Craig	40
George A. Bruton	82
Edward H. York	47
Agenor Belcourt	142
Edna B. Weeks	79
Joseph M. Eaton	110

Oscar C. Prescott	98	
Winifred Hartigan	134	
Frank H. Sheridan	275	1,068

Reimbursement for expenses incurred while attending joint hearings as members of the senate committee on public works and transportation or the house committee on public works:

Laurier Lamontagne	20	
Douglass E. Hunter, Sr.	15	
William F. Keefe	42	
Maurice J. Downing	42	
George W. Strafford	148	
George M. McGee	56	
William P. Gove	41	364
Total for legislative branch		752,500

#In this appropriation \$5,000, or so much as necessary, may be expended by the legislative budget assistant for an audit of the state treasury. The legislative budget assistant may designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of paragraph II, section 31, chapter 14, RSA, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer. This appropriation also includes \$50,000, or so much as necessary, for an interim study of data processing programs and an interim actuarial study of all state retirement funds. Reports on said studies shall be completed prior to December 1, 1966. The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor.

##This appropriation includes \$10,000, or so much as necessary, for an interim study of the settlement laws.

###This appropriation includes \$5,000, or so much as necessary, for legal or consultant services including but not limited to payment for services authorized by the senate by motion adopted April 28, 1965, Senate Journal page 645. Expenditures from this appropriation shall be subject to prior approval of the senate finance committee.

*This appropriation shall not lapse at June 30, 1966.

Amend the appropriation For executive branch by striking out the same and inserting in place thereof the following:
For executive branch:

Office of governor:		
Salary of governor	30,000	
Other personal services:		
Other+	54,750	
	<hr/>	
Total	84,750	
Current expenses	8,000	
Travel:		
In state	2,500#	
Out of state	2,000	
Equipment	1,000	
Other expenditures:		
Contingent fund	15,000	
Special citations to state employees	300	
Governor's special fund*	10,000	
Trainee program++	11,000	
New England governors' council	8,000	
Total		142,550
	<hr/>	

+Salaries paid out of this appropriation shall be at levels set by the governor.

#Expense of operating and maintenance of the governor's state car shall be charged to this appropriation.

*The funds appropriated under this item are to be spent by the governor in his own and sole discretion for state purposes, including but not limited to participation in the activities of the United States Governors Conference, the New England Conference of Governors, and the council of state governments, for which monies are not otherwise appropriated.

++The funds in this appropriation shall not be transferred or expended for any other purpose.

Office of economic opportunity:

Personal services:	
Temporary	46,380
Consultants	2,105

Total	48,485
Current expenses	6,770
Travel:	
In state	2,875
Equipment	2,641
	60,771
Less current authorization	11,800
Total	48,971
Less federal grant	43,745
Net appropriation	5,226*

*State matching appropriations available for expenditure only if funds are available from a federal grant. If the federal grant is reduced, expenditure of state matching appropriation shall be reduced proportionately.

Emergency fund	50,000
Operating budget contingent fund	50,000++

++Transfers from this fund are subject to prior approval by the governor and council and may be made to all state agency appropriations, excluding only the governor and council. The director of accounts shall keep a record of transfers approved for other than general fund agencies, and shall report such special fund transfers to the legislature for appropriate adjustment between funds.

Executive council:

Personal services	
Other - per diem	19,750
Secretary to executive council	3,250
Total	23,000
Current expenses	2,000
Travel:	
In state	4,500
Out of state	500
Total for executive council	30,000
Total for executive branch	277,776

Amend the appropriation for judicial branch: For supreme court by changing the figures for "Salary of clerk-reporter", as follows: 12,300 changed to 15,000; by changing the figures for "Total" for personal services, as follows: 144,421 changed to 147,121; by changing the figures for "Total" for supreme court, as follows: 158,996 changed to 161,696; and by changing the figures for "Net appropriation", as follows: 158,346 changed to 161,046.

Further amend the appropriation For judicial branch: For judicial council by striking out the same and inserting in place thereof the following:

For judicial council	8,850+
----------------------	--------

+The funds in this appropriation shall not lapse but shall be available for expenditure in the following year. In this appropriation \$5,400 shall be for the salary of the secretary.

Further amend the appropriation For judicial branch: For administrative committees, by striking out the same and inserting in place thereof the following:

For administrative committees:		
For district and municipal courts	5,950	
For probate courts	500	6,450

Further amend the appropriation For judicial branch, by changing the figures for "Total for judicial branch", as follows: 473,455 changed to 481,380.

Amend the appropriation For adjutant general's department: Central administrative office, by changing the figures for "Current expenses" as follows: 6,670 changed to 7,170; by changing the figures for "Total" of said paragraph as follows: 81,181 changed to 81,681; by changing the figures for "Total for adjutant general's department" as follows: 451,897 changed to 452,397; by changing the figures for "Net appropriation" as follows: 384,639 changed to 385,139.

Amend the appropriation For administration and control: Division of budget and control, by striking out the same and inserting in place thereof the following:

Division of budget and control:	
Salary of comptroller	17,620

Salary of business supervisor	13,560
Salary of assistant business supervisor	12,120
Salary of assistant business supervisor (agriculture)	10,260
Other personal services:	
Permanent	7,229
Other	2,600
	<hr/>
Total	63,389
Current expenses	2,984
Travel:	
In state	750
Out of state	510
Equipment	325
Other expenditures:	
Atlantic marine fisheries	700
Firemen's relief	4,000
League of N. H. Arts and crafts	10,000+
New England board of higher education:	
Expenses	5,550
Grants	50,000++
Complete installation of accoustical tile and related work in state house annex*	15,000
Reset and point steps and walls—state house and annex*	30,000
Oasi contributions:	
State employees	490,000
Teachers	470,000
	<hr/>
Total	1,143,208

+At the close of each year an operating statement shall be submitted to the governor and council.

++Other provisions of law notwithstanding, the balance at June 30, 1965 shall lapse on July 1, 1965 to unappropriated surplus of the general fund.

*Expenditures for these purposes not to exceed the legislative appropriation. These appropriations shall not be transferred or expended for any other purpose.

Further amend the appropriation For administration and control: N. H. distributing agency: Surplus property division, by

changing the figures for "Travel: Out of state", as follows: 500 changed to 625; by changing the figures for "Total" of said paragraph as follows: 41,776 changed to 41,901; and by changing the figures for "Less estimated revenue and balance" as follows: 41,776 changed to 41,901.

Further amend the appropriation For administration and control by changing the figures for "Total for administration and control" as follows: 1,780,513 changed to 1,778,513.

Amend the appropriation For agriculture: Bureau of weights and measures, by striking out the same and inserting in place thereof the following:

Bureau of weights and measures:

Personal services:

Permanent	41,560
-----------	--------

Current expenses	3,000
------------------	-------

Travel:

In state	4,400
----------	-------

Out of state	175
--------------	-----

Equipment	4,800
-----------	-------

Other expenditures:

Heavy duty truck and related equipment*	11,050
---	--------

Total	64,985
-------	--------

Less estimated revenue	15,000
------------------------	--------

Net appropriation	49,985
-------------------	--------

*This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For agriculture: Division of animal industry by striking out said section and inserting in place thereof the following:

Division of animal industry:

Salary of state veterinarian	9,933
------------------------------	-------

Other personal services:

Permanent	62,178
-----------	--------

Other	600
-------	-----

Total	72,711
-------	--------

Current expenses	12,315	
Travel:		
In state	8,000	
Out of state	550	
Equipment	2,500	
Other expenditures:		
Veterinary services — other than testing	150	
Tubercular testing	31,000	
Brucellosis, fibrosis and leptospirosis testing	30,000	
Testing for mastitis control	500	
Indemnities for condemned animals	1,000	
Diagnostic services for domestic animals	12,000	
Total	100,726	
Less estimated revenue	35,000	
Net appropriation		135,726

Further amend the appropriation For agriculture, by changing the figures and sign "Total for department of agriculture" as follows: 393,559# changed to 404,609#.

Amend the appropriation For attorney general's department: Office of attorney general, by striking out the word and sign "Reports+" and inserting in their place the following words and sign: Reports and opinions+ and also the following footnote relative thereto: +The attorney general shall submit at least monthly to the legislative budget assistant copies of all opinions given by his office. This appropriation shall cover the expense of printing certain reports and also the expense for a part time trainee in the office not exceeding five hundred dollars. No part of this appropriation shall be transferred or expended for any other purpose than herein set forth; this appropriation shall not lapse but shall be available for expenditure in the ensuing year.

Further amend the appropriation For attorney general's department: Legal assistance for land acquisition by striking out the same and inserting in place thereof the following:

Legal assistance for land acquisition:

Salaries of two assistant attorneys general	18,786
---	--------

Other personal services:

Permanent	9,502
-----------	-------

Total	28,288
-------	--------

Current expenses	325
------------------	-----

Travel:

In state	1,500
----------	-------

Equipment	1,500
-----------	-------

Total	31,613
-------	--------

Less transfer from highway fund	31,613
---------------------------------	--------

Net appropriation	0
-------------------	---

Further amend the appropriation For attorney general's department: Division of charitable trusts, by striking out the same and inserting in place thereof the following:

Division of charitable trusts:

Salary of director	6,240
--------------------	-------

Other personal services:

Permanent	7,093
-----------	-------

Other	400
-------	-----

Total	13,733
-------	--------

Current expenses	1,350
------------------	-------

Travel:

In state	150
----------	-----

Out of state	100
--------------	-----

Equipment	1,020
-----------	-------

Total	16,353
-------	--------

Further amend the appropriation for the attorney general's department by inserting after the paragraph for Division of charitable trusts, the following paragraph:

Office of coordinator of federal funds:

Salary of coordinator**	12,500
-------------------------	--------

Personal services:

Permanent	3,717
-----------	-------

Total	16,217
-------	--------

Current expenses	400	
Travel:		
In state	100	
Out of state	2,500	
Equipment	425	
Total		19,642

#There is established by this appropriation the position of coordinator of federal funds, who shall be appointed by the governor and council as an unclassified employee and who shall be qualified by education and experience and he shall hold office at the pleasure of the governor and council. Subject to the direction and supervision of the attorney general he shall (1) inform and advise the heads of all state departments, divisions, agencies and commissions and the legislative budget assistant concerning federal programs from which the state may be eligible to receive federal funds and concerning the requirements which must be met in order to participate therein. (2) review all requests and agreements originating in any state department, division, agency and commission relating to participation in any federal program from which federal funds may be received, (3) receive accounts from all state departments, divisions, agencies and commissions setting forth the amounts of funds received each quarter from the federal government and the disposition and use of all such funds (4) assist, upon request of the head of any department, division, agency and commission, in the preparation of requests and application for federal funds (5) make reports as requested by the governor concerning the receipt and use of federal funds and the availability of such funds for programs of all types (6) receive and review all federal audits of accounts of federal funds administered by state agencies. Copies of such reports shall be furnished to the legislative budget assistant (7) perform such other related duties as the governor and council shall require of him.

**The salary range for coordinator is established at \$12,500 to \$15,000. The salary may be increased by governor and council to any step within the range, if additional funds are required for this position they shall be a charge upon the salary adjustment fund.

Further amend the appropriation For the attorney general's department: by changing the figures for "Total for attorney general" as follows: 163,782 changed to 183,624.

Further amend the appropriation For attorney general's department, by adding at the end of said appropriation the following:

Note: the appropriation made by Laws 1963, chapter 198, for law enforcement manual shall be available for expenditure during the period from July 1, 1965 to June 30, 1967.

Amend the appropriation For department of health and welfare: Office of commissioner of health and welfare, by striking out the same and inserting in place thereof the following:

Office of commissioner of health and
welfare:

Salary of commissioner	17,680
------------------------	--------

Salary of business supervisor— health and welfare+	13,200
---	--------

Other personal services:

Permanent	176,784
-----------	---------

Other	3,000
-------	-------

Total	210,664
-------	---------

Current expenses	47,459
------------------	--------

Travel:

In state	1,900
----------	-------

Out of state	1,400
--------------	-------

Equipment	5,612
-----------	-------

Other expenditures:

Oasi and retirement	12,579
---------------------	--------

Total for office of
commissioner

279,614

+Other provisions of law notwithstanding the employee holding the classified position of supervisor of business management III on June 30, 1965 shall assume the new unclassified position of business supervisor—health and welfare as of July 1, 1965.

Further amend the appropriation For department of health and welfare: Division of public health services: Communicable disease control, by changing the figures for "Travel—In state as follows: 3,300 changed to 3,000.

Further amend the appropriation For department of health and welfare: Division of public health services: Vital statistics, by inserting an asterisk after the words "Vital statistics" and at the end of said paragraph inserting the following footnote: *Other provisions of law notwithstanding, any balance in vital statistics account at June 30, 1965 shall lapse to unappropriated surplus of the general fund on July 1, 1965.

Further amend the appropriation For department of health and welfare: Division of welfare: Administration, by striking out the same and inserting in place thereof the following:

Administration:

Salary of director	13,184
--------------------	--------

Other personal services:

Permanent	158,384
-----------	---------

Other	7,000
-------	-------

Total	178,568
-------	---------

Current expenses	21,078
------------------	--------

Travel:

In state	4,860
----------	-------

Out of state	1,228
--------------	-------

Equipment	969
-----------	-----

Other expenditures:

Blue cross and insurance	7,458
--------------------------	-------

Merit system	4,500
--------------	-------

Educational leave+	10,000
--------------------	--------

Employees retirement	51,092
----------------------	--------

Social security	35,707
-----------------	--------

Physical examinations for applicants	1,000
---	-------

Total	316,460
-------	---------

+Not to be transferred or used for any other purpose. The total grant to any one person shall not exceed \$5,000 which shall include tuition and stipend.

Further amend the appropriation For department of health and welfare: Division of welfare: Field services, by striking out the same and inserting in place thereof the following:

Field services:

Personal services:

Permanent	717,146
Other	5,075

Total	722,221
-------	---------

Current expenses	70,000
------------------	--------

Travel:

In state	37,636
Out of state	500

Equipment	14,671
-----------	--------

Total	845,028
-------	---------

Further amend the appropriation For department of health and welfare: Blind services, by inserting at the end of said paragraph the following:

Note: the position of sight conservation consultant, position number 06, shall be abolished as of November 2, 1965. All funds appropriated directly or indirectly for the sight conservation program anywhere in the appropriation for the Division of welfare are hereby transferred to the department of public health nursing in the Division of public health services and are hereby appropriated to that department to be used by it for the purpose of said program.

Further amend the appropriation For department of health and welfare: Division of welfare, by inserting after the appropriation for "John Nesmith fund" the following new paragraph:

Foster day care:

Personal services:

Permanent	9,753
Current expenses	880

Travel:

In state	360
Equipment	1,956

Other expenditures:

Retirement	415
Oasi	37

Total	13,401
Less estimated federal funds	13,401

Net appropriation

Further amend the appropriation For department of health and welfare: Division of welfare: Old age assistance, by changing the figures for "State's share" as follows: 1,129,397 changed to 1,284,282; by changing the figures for "Net appropriation" for state's share as follows: 1,038,397 changed to 1,193,282; by changing the figures for "Towns and counties" as follows: 1,245,793 changed to 1,297,421; and, by changing the figures for "Less estimated revenue" from towns and counties, as follows: 1,245,793 changed to 1,297,421.

Further amend the appropriation For department of health and welfare, Division of welfare: Old age assistance to aliens, by changing the figures for "Towns and counties" as follows: 231,958 changed to 249,868; and, by changing the figures for "Less estimated revenue" from towns and counties, as follows: 231,958 changed to 249,868.

Further amend the appropriation For department of health and welfare, Division of welfare: aid to dependent children, by changing the figures for "State's share", as follows: 1,292,810 changed to 1,304,976; and, by changing the figures for "Net appropriation" for aid to dependent children as follows: 1,212,810 changed to 1,224,976.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to needy blind, by changing the figures for "State's share" as follows: 203,618 changed to 216,934; and by changing the figures for "Net appropriation" for Aid to needy blind, as follows: 201,418 changed to 214,734.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to permanently and totally disabled, by changing the figures for "State's share", as follows: 202,924 changed to 222,330; by changing the figures for "Towns and counties" as follows: 307,560 changed to 318,009; and by changing the figures for "Less estimated revenue" from towns and counties, as follows: 307,560 changed to 318,009.

Further amend the appropriation for department of health and welfare: Division of welfare by changing the figures for "Total for division of welfare," as follows: 4,786,381 changed to 5,148,736.

Further amend the appropriation For department of health and welfare: Division of welfare, by changing the figures for "Less transfer re administration from federal grants" as follows:

630,633 changed to 711,923; and by changing the figures for "Net appropriation" for Division of welfare, as follows: 4,143,948 changed to 4,425,013.

Further amend the appropriation For department of health and welfare: Division of welfare: by inserting at end of said appropriation the following:

Notes: Other provisions of law notwithstanding, any balance remaining in state accounts at the close of the fiscal year shall lapse to unappropriated surplus of the general fund.

Nursing homes and hospitals providing nursing care shall be eligible for payment by the Division of welfare for nursing care.

If revenue and balance exceed estimates in the federal, town and county accounts of the welfare division, such excess may be expended with the approval of the governor and council, provided however that any federal administration funds in these accounts must first be transferred to the estimated revenue account for that purpose. The director of the division of welfare shall monthly certify to the comptroller the amount of said administration funds so earned and the comptroller shall then effect the transfer.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration, by changing the figures for "Other personal services: Permanent" as follows: 73,015 changed to 79,545; by changing the figures for "Total" personal services as follows: 101,635 changed to 108,165; and by changing the figures for "Total" for administration as follows: 108,185 changed to 114,715. Further amend said appropriation for Laconia state school: Professional care and treatment, by changing the figures for Personal services: Permanent, as follows: 1,083,154 changed to 1,100,654; by changing the figures for "Total" for permanent services as follows: 1,099,154 changed to 1,116,654; and, by changing the figures for "Total" for Professional care and treatment as follows: 1,124,378 changed to 1,141,878. Further amend said appropriation for Laconia state school: Custodial care, by changing the figures for "Personal services: Permanent" as follows: 252,359 changed to 255,934; by changing the figures for "Total" personal services as follows: 254,359 changed to 257,934; and by changing the figures for "Total" for Custodial

care, as follows: 524,693 changed to 528,268. Further amend the appropriation For Laconia state school by adding the following footnote after "Total" for custodial care: #The permanent position of Cook I — Position No. 0012 shall be abolished when the employment of the present employee is terminated. Further amend said appropriation for Laconia state school by changing the figures for "Total for Laconia state school." as follows: 2,310,785 changed to 2,338,390; and, by changing the figures for "Net appropriation" for Laconia state school as follows: 2,298,985 changed to 2,326,590.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration, by changing the figures for "Current expenses" as follows: 48,236 changed to 68,236; and by changing the figures for "Total" for administration as follows: 201,767 changed to 221,767. Further amend said appropriation for New Hampshire hospital: Professional care and treatment, by striking out said paragraph and inserting in place thereof the following paragraph.

Professional care and treatment:

Senior psychiatrist (13)	157,243
Other personal services:	
Permanent	3,242,299
Other	116,195#
Total	3,515,737
Current expenses	155,769+
Travel:	
In state	4,000
Out of state	500
Equipment	12,400*
Total	3,688,406

#This appropriation includes salaries for two temporary psych. social workers who shall be assigned to the geriatrics program, and \$5,000 for psychology interns which shall not be used for any other purpose. Students accepted as medical interns shall have completed a minimum of two years of medical school. This appropriation also includes \$708 for retroactive salary payment for Dr. George Brown.

+No charge against this appropriation or any other appropriation of the New Hampshire hospital shall be made for nurses uniforms.

*This appropriation shall not lapse until June 30, 1967.

Further amend said appropriation for New Hampshire hospital by changing the figures for "Total for New Hampshire hospital" as follows: 6,260,170 changed to 6,280,878; and, by changing the figures for "Net appropriation" for said hospital as follows: 6,196,670 changed to 6,217,378. Further amend the appropriation For department of health and welfare: Division of mental health, by changing the figures for "Total for division of mental health," as follows: 8,779,045 changed to 8,827,358. Further amend the appropriation For department of health and welfare, by changing the figures for "Total for department of health and welfare" as follows: 15,349,866 changed to 15,682,321.

Amend the appropriation For barbers board, by changing the figures for "Personal services: Other" as follows: 1,100 changed to 1,650; and, by changing the figures for "Total" for barbers board, as follows: 5,670 changed to 6,220.

Amend the appropriation For insurance department: Office of commissioner, by striking out the same and inserting in place thereof the following:

Office of commissioner:

Salary of commissioner	15,181
Salary of deputy commissioner	12,240
Salary of assistant to commissioner	9,000

Other personal services:

Permanent	66,845
-----------	--------

Total	103,266
Current expenses	7,595

Travel:

In state	100
Out of state	1,000
Equipment	1,419

Total	113,380
-------	---------

Further amend the appropriation For insurance department: Rating division, by changing the figures for "Current expenses" as follows: 1,200 changed to 1,435; and by changing the "Total" for Rating division as follows: 22,427 changed to 22,662. Further amend the appropriation For insurance department: Real estate division, by striking out the same and inserting in place thereof the following:

Real estate division:

Personal services:

Permanent	4,830
-----------	-------

Current expenses	1,872
------------------	-------

Travel:

In state	100
----------	-----

Out of state	200
--------------	-----

Equipment	280
-----------	-----

Total	7,282
-------	-------

Further amend the appropriation For insurance department by changing the figures for "Total for insurance department" as follows: 141,822 changed to **143,324**.

Amend the appropriation For personnel department, by changing the figures for "Current expenses" as follows: 4,874 changed to 5,574; by changing the figures for "Total" for personnel department as follows: 119,927 changed to 120,627; and, by changing the figures for "Net appropriation" as follows: 105,010 changed to 105,710.

Amend the appropriation For resources and economic development: Office of the commissioner: Division of administration, warehouse and graphic arts, by striking out same and inserting in place thereof the following:

Division of administration, warehouse and graphic arts:

Salary of commissioner	15,969
------------------------	--------

Other personal services:

Permanent	155,419+
-----------	----------

Other	7,200
-------	-------

Total	178,588
-------	---------

Current expenses	17,500
------------------	--------

Travel:

In state	2,000
----------	-------

Out of state	900
--------------	-----

Equipment	4,145
-----------	-------

Other expenditures:

Community recreation services	15,000#
-------------------------------	---------

Total	218,133
-------	---------

+Of the following two permanent positions whichever one becomes vacant first shall be abolished:

1 Accountant II (Position #0008)

1 Accountant I (Position #0007)

#This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For resources and economic development: Office of the commissioner, by changing the figures for "Total for office of commissioner" as follows: 305,505 changed to 320,505.

Further amend the appropriation For resources and economic development: Division of resources development, by inserting after the words "Total for division of resources development" an asterisk and the following footnote: *If income from federal grants exceeds estimates, the excess may be expended with approval of the governor and council.

Further amend the appropriation For resources and economic development: Division of parks: Bonds and interest, by changing the figures for "Chapter 263, Laws of 1961, Issue of 1963" as follows: 300,800 changed to 360,800; by changing the figures for "Total bonds and interest" as follows: 490,660 changed to 550,660. Further amend said sub-section for Division of parks by changing the figures for "Total for division of parks" as follows: 1,797,491 changed to 1,857,491; and, by changing the figures for "Net appropriation" as follows: 148,725 changed to 208,725.

Further amend the appropriation For resources and economic development: Division of parks, by striking out at the end of said appropriation for said Division of parks the footnote prefaced by an asterisk and inserting in place thereof the following: *Rates charged at service and self-supporting parks shall be adjusted to assure that estimated revenue will be realized as such revenue may be required to assure that the division of parks does not close the fiscal year with a deficit. Expenditures for the division of parks shall not exceed the legislative net appropriation plus actual revenue on July 30, 1966. In order to provide working capital for the operation of the agency an amount not to exceed \$550,000 in addition to the legislative net appropriation may be a charge against the unappropriated surplus of the state beginning July 1, 1965. From such working capital the

director of accounts shall encumber the sum of \$490,660 for the payment of fiscal 1966 debt service. In each succeeding month of the fiscal year the unappropriated surplus shall be reimbursed by \$55,000.

Further amend the appropriation For resources and economic development: Division of economic development: Vacation travel promotion, by striking out the words and figures "Planning 25,000*" and inserting in place thereof the following:

Planning	20,000*
Promotion	5,000*

Further amend the appropriation For resources and economic development: Water resources board, by changing the figures for "Equipment" as follows: 2,030 changed to 2,680; by changing the figures for "Stream flow gauging" as follows: 24,000 changed to 24,200; by changing the figures for "Total for water resources board" as follows: 154,132 changed to 154,982; and, by changing the figures for "Net appropriation" for the Water resources board as follows: 127,555 changed to 128,405.

Further amend the appropriation For resources and economic development by changing the figures for "Total for department of resources and economic development" as follows: 1,729,279 changed to 1,755,112.

Amend the appropriation For department of safety: Office of commissioner, by striking out the section and inserting in place thereof the following:

Office of commissioner:	
Salary of commissioner	16,419
Other personal services:	
Permanent	72,685
Other	2,100
	<hr/>
Total	91,204
Current expenses	6,700
Travel:	
In state	1,350
Out of state	750
Equipment	950
Other expenditures:	
Oasi, retirement, blue cross and insurance	5,875

Conversion to EDP:

Temporary help	11,700*
Rental of EDP equipment	7,170*

Total	125,699
Less transfer from highway fund	121,426

Net appropriation	4,273
-------------------	-------

*This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For department of safety: Initial plate fund, by adding at the end of the paragraph after "Driver assistance" the following: Police training school 4,000 and by changing the figures for "Total" for Initial plate fund as follows: 76,640 changed to 80,640; and, by also changing the figures for "Less estimated revenue" as follows: 76,640 changed to 80,640. Further amend the appropriation For department of safety: Division of state police: Traffic bureau, by striking out the same and inserting in place thereof the following:

Traffic bureau:

Salary of director	11,850
--------------------	--------

Other personal services:

Permanent	969,029
Other	2,000

Total	982,879
-------	---------

Current expenses	83,445
------------------	--------

Travel:

In state	188,000
Out of state	1,500

Equipment	208,715
-----------	---------

Other expenditures:

Training	3,800
Oasi and retirement	47,345
Blue cross, insurance	6,455

For new troopers:

Automobiles	24,000
Radios	5,868
Uniforms and equipment	9,180

Retirement, blue cross, insurance	4,493
-----------------------------------	-------

Total for traffic bureau	1,565,680
--------------------------	-----------

Less estimated revenue	42,400
------------------------	--------

Less transfer from turnpike	145,811
-----------------------------	---------

Less transfer from highway fund	1,377,469
---------------------------------	-----------

Net appropriation	0
-------------------	---

Further amend the appropriation For department of safety: Division of state police: Communications by striking out the same and inserting in place thereof the following:

Communications: #

Personal services:

Permanent	63,477
-----------	--------

Current expenses	16,000
------------------	--------

Travel:

In state	4,900
----------	-------

Equipment	4,000
-----------	-------

Other expenditures:

Training school	1,000+
-----------------	--------

Oasi, retirement, blue cross, insurance	4,127
--	-------

Total	93,504
-------	--------

Less estimated revenue	800
------------------------	-----

Less transfer from highway fund	82,548
---------------------------------	--------

Net appropriation	10,156
-------------------	--------

+Expenditure shall be subject to prior approval of the governor and council. No transfer shall be made from this appropriation.

#Only four uniformed employees shall be assigned to the communications section.

Further amend the appropriation For department of safety: Division of state police, by inserting the following new paragraph after "Communications":

Crowd control equipment	10,000
-------------------------	--------

Less transfer from highway fund	5,000
---------------------------------	-------

Net appropriation	5,000
-------------------	-------

Further amend the appropriation For department of safety: Division of state police, by changing the figures for "Total for state police" as follows: 142,824 changed to 147,824. Further amend the appropriation For department of safety by changing the figures for "Total for department of safety" as follows: 393,241 changed to 398,241.

Amend the appropriation For secretary of state: Office of secretary, by striking out the same and inserting in place thereof the following:

Office of secretary:	
Salary of secretary	13,501
Salary of deputy secretary	10,741
Other personal services:	
Permanent	53,184
Other	3,675
	<hr/>
Total	81,101
Current expenses	7,030
Travel:	
In state	125
Out of state	800
Equipment	1,280
Other expenditures:	
Equipment and supplies to revise filing system for corporate and trade names	8,700
	<hr/>
Total	99,036

Further amend the appropriation For secretary of state, by changing the figures for "Total for secretary of state" as follows: 141,883 changed to 154,158.

Amend the appropriation For industrial school: Custodial care, by changing the figures for "Personal services: Permanent" as follows: 333,721 changed to 337,702++; by changing the figures for "Total" for personal services, as follows: 342,630 changed to 346,611; by changing the figures for "Current expenses" as follows: 62,596 changed to 65,350; by changing the figures for "Total" for custodial care, as follows: 407,316 changed to 414,051; and by adding the following footnote: ++The permanent position of housekeeper shall be abolished when the position becomes vacant. Further amend the approp-

priation for Industrial school by changing the figures for "Total for industrial school: as follows: 736,543 changed to 743,278; and, by changing the "Net appropriation" for the industrial school, as follows: 730,043 changed to 736,778.

Amend the appropriation For higher education fund, by changing the figures and sign as follows: 6,875,000+ changed to 7,325,000+.

Amend the appropriation For board of education: Administration, by striking out the same and inserting in place thereof the following:

Administration:

Salary of commissioner	16,860
Salary of deputy commissioner	13,620
Other personal services:	
Permanent	202,680
Other	1,500
	<hr/>
Total	234,660
Current expenses	20,000
Travel:	
In state	6,500
Out of state	2,500
Equipment	2,300
Other expenditures:	
Implementation of higher education loan program	2,500#
	<hr/>

Total 268,460

#This appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 1967.

Further amend the appropriation for board of education: by adding after the paragraph for "Foundation aid" the following:

Note: The requirements of meeting a tax of \$14. per thousand of equalized valuation, as provided in RSA 198:10, is waived for the pre-existing school district of Gilsum for the Fiscal year 1965-1966 for the purpose of computing foundation aid for 1965-1966.

Further amend the appropriation For board of education; by inserting after Foundation aid: State aid to school districts the following new section:

Special aid to 20 school districts 102,710

Further amend the appropriation For board of education: Smith Hughes and George Barden by placing an asterisk after 86,489 for Personal services: Permanent and inserting the following footnote at the end of the paragraph: *This appropriation includes funds for a new position of Director of business education and these funds shall not be transferred or expended for any other purpose. The commissioner of education shall fill this position as soon as possible.

Further amend the appropriation For board of education: Intellectually retarded children by striking out said paragraph and inserting in place thereof the following paragraph:

Intellectually retarded children	87,757
Emotionally disturbed children	10,000

Further amend the appropriation For board of education: by striking out the appropriation for Oasi disability determination: federal and inserting in place thereof the following:

Oasi disability determination: federal

Personal services:

Permanent	34,398
-----------	--------

Current expenses	34,304
------------------	--------

Travel:

In state	500
----------	-----

Out of state	700
--------------	-----

Equipment	690
-----------	-----

Other expenditures:

Medical consultants and examinations	32,000
--------------------------------------	--------

Clients' travel	3,100
-----------------	-------

Retirement, oasi, merit system, blue cross, insurance	2,931
--	-------

Total+	77,623
--------	--------

Less estimated federal funds+	77,623
-------------------------------	--------

Net appropriation

0

+If the federal grant is less than the amount of the estimate shown herein, the appropriation shall be reduced in like proportion.

Further amend the appropriation For board of education, by inserting after the paragraph for "National defense education act—title X" the following new paragraph:

Manpower development and training fund:

Other expenditures	750,000#
Less estimated federal funds+	750,000

Net appropriation	0
-------------------	---

#This appropriation shall not lapse at June 30, 1966.

+If the federal grant is less than the amount of the estimate shown herein, the total appropriation shall be reduced in like proportion.

Further amend the appropriation For board of education, by changing the figures for "Total for board of education", as follows: 6,302,328 changed to 6,417,538. Further amend said appropriation For board of education, by striking out the words "Net appropriation" and the figures 6,295,628 and inserting in place thereof the following:

Net appropriation+	6,410,838
--------------------	-----------

+Other provisions of law notwithstanding, the balance at June 30, 1965 in the Building projects account shall lapse on July 1, 1965 to unappropriated surplus of the general fund.

Amend the appropriation For coordinating board of advanced education and accreditation by striking out the same and inserting in place thereof the following:

For coordinating board of advanced education and accreditation:

Salary of executive secretary	5,000
-------------------------------	-------

Other personal services:

Other	3,167
-------	-------

Total	8,167
-------	-------

Current expenses	750
------------------	-----

Travel:

In state	900
----------	-----

Out of state	100
--------------	-----

Equipment	80
-----------	----

Total	9,997
-------	-------

Amend the appropriation For bank commissioner: Administration, by striking out under Other personal services the word and sign "Permanent*" and inserting in place thereof the word Permanent, and by deleting the related footnote at the end of the paragraph. Further amend the appropriation For bank commissioner by striking out the words, signs and figures for "Total for bank commissioner** \$15,000" and inserting in place thereof the following:

Total for bank commissioner**	\$15,000++
-------------------------------	------------

++None of the general funds of the state shall be expended for any of this appropriation except for the payment of the salary of the commissioner.

Further amend the appropriation For bank commissioner: by inserting the following note at the end of said appropriation:

Note: Other provisions of law notwithstanding, the balance at June 30, 1965 in the small loan and motor vehicle finance and branch banking accounts shall lapse on July 1, 1965 to unappropriated surplus of the general fund.

Amend the appropriation For liquor commission: Administration: Current expenses, by striking out the figures and sign 74,450# and deleting the related footnote at the end of the paragraph and inserting in place thereof the figures 53,870. Further amend said appropriation for Administration by changing the figures for "Total" for administration as follows: 457,825 changed to 437,245. Further amend the appropriation For liquor commission: Stores operation, by striking out the same and inserting in place thereof the following:

Stores operation: #

Personal services:

Permanent##	1,173,792
Other	175,000

Total	1,348,792
Current expenses	363,750

Travel:

In state	9,875
Equipment	25,500

Other expenditures:

Oasi and retirement	75,472
---------------------	--------

Total	1,823,389
-------	-----------

Less revenue from Sweepstakes Commission	246,600
---	---------

Net appropriation	1,576,789
-------------------	-----------

#Two stores in downtown Nashua shall be continued in addition to the new store being constructed.

##This appropriation contains funds for a new permanent Retail Store Clerk for the Whitefield store.

Further amend the appropriation For liquor commission: Warehouse by inserting an asterisk after the words "Personal services" and inserting the following footnote at the end of the paragraph:

*Three warehouse watchman positions shall be abolished when liquor stock is moved from old warehouse.

Further amend the appropriation For liquor commission, by changing the figures for "Total for liquor commission" as follows: 2,148,992 changed to 2,176,169.

Amend the appropriation For public utilities commission, by changing the figures for "Travel: Out of state" as follows: 2,000 changed to 2,500; and, by changing the figures for "Total for public utilities commission" as follows: 203,508 changed to 204,008.

Amend the appropriation For tax commission, by inserting after the paragraph for "Forest conservation aid for purposes provided under RSA 79 (Supp) " the following new paragraph:

Appraisal school for selectmen and assessors	2,000
--	-------

Further amend the appropriation For tax commission, by changing the figures for "Total for tax commission" as follows: 722,901 changed to 724,901.

Amend the bill at the end of section 1 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1966" as follows: 43,006,209 changed to 44,018,105.

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Out of state travel. Notwithstanding any other provision of law, no transfers shall be made to or from any out of state travel appropriation authorized by section 1. The state treasurer and the state comptroller shall maintain separate appropriation accounts for out of state travel as appropriated in section 1.

Amend the bill by striking out section "19" and inserting in place thereof the following:

19 Fiscal committee established. Amend RSA by inserting after 14:30 the following new section: 14:30-a Committee. There is hereby established a fiscal committee of the general court. Said committee shall consist of eight members, five shall be members of the house appropriations committee, the chairman of which shall be one of said members and the other four shall be appointed by said chairman, three shall be members of the senate finance committee, the chairman of which shall be one of said members and the other two shall be appointed by said chairman. Said committee shall while the general court is in session and during the interim consult with, assist, advise, and supervise the work of the legislative budget assistant, and may at its discretion investigate and consider any matter relative to the appropriations, expenditures, finances, revenues or any of the fiscal matters of the state. The members shall be paid the regular legislative mileage during the interim while engaged in their work as members of said committee.

Amend the bill by striking out sections "23" and "24" and inserting the following new sections:

23 Sweepstakes Commission Funds. Notwithstanding any provision of law to the contrary, in order to allow the sweepstakes commission to efficiently handle its funds, the commission shall deposit all funds received by it in commercial banks throughout the state in not more than as many different accounts as there are outlets for the sale of tickets. The commission may maintain a balance of \$20,000 in one of said accounts and \$10,000 in all others. All funds in said accounts in excess of said balances shall be transferred weekly to a special sweepstakes bank account in the Merchants National Bank of Manchester in which there shall be maintained a minimum balance of \$100,000, as soon as said amount is available from current sales of tickets. All sums in excess of said minimum of \$100,000 in said special account shall be remitted weekly to the state

treasurer for credit to the sweepstakes special fund. Provided however, that on or before December 15 of each year all minimum balances shall be paid into the state treasurer.

24 Interim employment. In addition to any sum hereinabove appropriated for the office of the secretary of state there is hereby appropriated \$6,500 for the employment of Benjamin F. Greer, clerk of the senate during the period from July 1, 1965 to June 30, 1966 at the rate of \$250 bi-weekly. The services of said Benjamin F. Greer shall be available to interim legislative committees and to the secretary of state's department. The sum hereby appropriated shall be a charge on the legislative appropriation.

25 Stenographic overtime. Employees of the secretary of state's office shall be reimbursed for overtime work performed on legislative matters for the 1965 session of the general court at the rate of three dollars and fifty cents per hour, payments of such overtime shall be a charge on the legislative appropriation.

26 Room assignment. Other provisions of law notwithstanding, all rooms on the third floor of the state house shall be assigned for use by the President of the Senate and the Speaker of the House.

27 Rental or purchase of automatic Data Processing equipment. All contracts for the purchase or rental of automatic data processing equipment in force on the effective date of this act and all contracts for such purchase or rental let prior to June 30, 1966 shall terminate and end on that date. Effective for the fiscal year ending June 30, 1967, the expenditure of funds for the procurement of all automatic data processing equipment shall be accomplished by competitive bid through the division of purchase and property. All state agencies contemplating the use of such equipment shall co-operate with the director of purchase and property and furnish such information as is necessary to establish adequate performance specifications. The director shall establish rules of procedure, and hire necessary consultant services for advice in drawing specifications and recommending contract awards. The governor and council shall approve all contracts for the procurement of automatic data processing equipment in accordance with the provisions of this section. The director of purchase and property is hereby directed to file with the office of the legislative budget assistant a copy of all records including but not being limited to requests for bids,

bids, performance specifications, rules, letters of advice and recommendations received by him pursuant to the provisions of this section.

28 Capital budget study and report. The president of the senate and the speaker of the house are hereby authorized to each appoint one knowledgeable person having experience and background in finance and business and such two appointees are hereby authorized and directed to make a continuing study during the interim of the manner in which the capital budget is carried out and executed and they shall prior to the convening of the 1967 session of the general court make a report of their findings and recommendations to said general court in order that it may make any provisions in any future capital budget so that the intentions of the general court shall be clearly expressed and carried out. Each such appointee shall be paid a per diem, at a rate to be set by the president and speaker, and his actual expenses while engaged in his duties pursuant to this section, both of which shall be a charge against the legislative appropriation.

29 New positions. Notwithstanding any other provision of law, during the fiscal year ending June 30, 1966, no new position, or positions, whether classified or unclassified, shall be established except as hereinafter provided and if any position or positions are so established the person or persons employed in such position or positions shall be paid as hereinafter provided: (1) Upon a finding by the governor and council that a bona fide emergency exists they may establish new positions provided, however, that the funds for the salary of the person or persons employed to fill such new positions shall be transferred from the emergency fund (2) A new position or positions may be established under other existing statutes provided that no less than fifty percent of the salary of the person or persons employed to fill such new position or positions is reimbursable by federal or other special funds, and if such new position or positions are established the state's share of said salary shall be a charge against the salary adjustment fund.

30 Increases to temporary and sessional personnel. While no additional monies were appropriated for salary increases to temporary and seasonal personnel, appointing authorities are authorized to give the same amounts of increases to such personnel as provided permanent classified employees from with-

in amounts available for other personal services, provided however that such increases will not curtail departmental operations.

31 Salary adjustments. Upon request of the appointing authority, the governor and council is hereby authorized and empowered, notwithstanding any other provision of law to the contrary, upon a finding by them that it is in the best interests of the state and is necessary in order to recruit qualified personnel to increase the salaries of the following listed and identified positions, and all such increases granted shall be a charge against the salary adjustment fund: assistant superintendent New Hampshire Hospital, directors of clinical services, director of clinical and surgical services, director of division of mental health, director of division of public health services, director of outpatient services, director of psychiatric education and research, senior psychiatrists, superintendent New Hampshire Hospital, and superintendent of state sanatorium; all classified positions that, in the best interests of the state, require they be filled by a person certified or eligible to be certified by the American Board of Neurology and Psychiatry or by a diplomate or person eligible to be a diplomate of the American Psychological Association or by a person registered and licensed or eligible to be registered and licensed to practice medicine in this state or by a person licensed or eligible for licensure to practice dentistry in this state. In the event the authority hereby granted is exercised to increase the salary for any such classified position in order to recruit personnel, the salary of all classified personnel in the same classification shall be increased pursuant to this section to the same amount. Notwithstanding any other provisions of law to the contrary, no classified employee of the state shall be paid a higher salary than the highest salary range provided for by RSA 99, as amended, except as provided for by this section.

32 Takes effect. This act shall take effect July 1, 1965.

Joseph M. Eaton
William H. Craig
Milburn F. Roberts
Conferees on the part of the House

Stuart Lamprey
Lucien E. Bergeron
Conferees on the part of the Senate

On motion of Senator Lamprey, reading of the Committee of Conference report was dispensed.

Senator Lamprey stated that he would be glad to answer any questions.

Senator Martel inquired: "The Governor's salary is as approved by the House, also the salary of the Comptroller and also the Assistant Supervisor?"

Senator Lamprey replied in the affirmative.

Senator Martel inquired: "What change for the University of New Hampshire?"

Senator Lamprey: "Instead of taking \$750,000 of the second year of the biennium, we have taken \$450,000 for the last year and put it in the second year and foot noted that the University of New Hampshire shall have \$750,000 in unappropriated funds."

Senator Martel inquired: "There was also one other change with footnote of expenditures of \$226,000 for the legislative budget assistant."

Senator Lamprey: "Yes, you brought that up. I did bring it up, as you requested, before the Committee of Conference. The Minority leader of the House made certain suggestions that strengthened the necessity of audit reports. A specific amount was not decided. All the officers in the legislative budget assistant's office would have to split up their time as to what was spent on audit reports and the rent in the office, etc. Therefore, we adopted Bill Craig's suggestion with regard to post audit reports."

Senator Martel: "What is the calculated amount of revenue?"

Senator Lamprey: "Eighty-eight million, 360 thousand plus."

Senator Waterhouse: "What is the situation with regard to the state troopers?"

Senator Lamprey: "Twenty-two new troopers to go on the highway. Six in the first year of the biennium, will come out of

the radio shack and we gave him an additional 6 troopers in the second year of the biennium."

Senator Waterhouse inquired: "Is the money still in there to operate a liquor store in Pelham?"

Senator Lamprey: "The money is there—Pelham will receive the liquor store—I would hate to be on the State Liquor Commission if they do not get a store in Pelham."

Senator Foley inquired: "How about the trainee program?"

Senator Lamprey: "Both training programs are in."

Senator Martel: "I believe we were told, and you made the remark, that \$4,000 out of the training program had been put in for police training. Were we given to understand that this was so? I remember getting on the floor and saying this was the first time that we had taken this out."

Senator Lamprey: "\$4,000 for police training, is still in there."

Senator Blaisdell inquired: "Is Gilsum taken care of?"

Senator Lamprey replied in the affirmative.

On a *viva voce* vote, the Report of the Committee of Conference was adopted.

Committee of Conference Report

The Committee on Conference, to whom was referred House Bill No. 654, An Act making appropriation for the expenses of certain departments of the state for the year ending June 30, 1967, having considered the same report the same with the following recommendations:

That the House recede from its position of non-concurrence and the senate recede from its position of adopting its amendments and that the House and Senate concur in the adoption of the following amendments:

Amend section 1 of the bill as follows:

Amend the section for legislative branch by striking out the same and inserting in place thereof the following:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$184,500 for the office of legislative budget assistant to the appropriations and finance committees, \$75,500 for the office of legislative services and \$16,500 for the office of research analyst to the senate finance committee, as follows: (Salary of legislative budget assistant \$17,500, other expenditures \$167,000#) (Legislative services—other expenditures \$75,500##) (Salary of research analyst to senate finance committee \$9,500, other expenditures \$7,000) \$688,900

Travel and expenses authorized by RSA 14-A:3 (supp)	7,500
Council of state governments	3,600
Legislative council	2,500

Total for legislative branch	702,500
------------------------------	---------

#In this appropriation \$5,000, or so much as necessary, may be expended by the legislative budget assistant for an audit of the state treasury. The legislative budget assistant may designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of paragraph II, section 31, chapter 14, RSA, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer. The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor.

##This appropriation includes \$10,000, or so much as necessary, for a continuing interim study of the settlement laws.

Amend the appropriation For executive branch by striking out the same and inserting in place thereof the following:

For executive branch:

Office of governor:

Salary of governor	30,000
--------------------	--------

Other personal services:

Other+	51,750
--------	--------

Total	81,750
-------	--------

Current expenses	8,000
------------------	-------

Travel:

In state#	2,500
-----------	-------

Out of state	2,000
--------------	-------

Equipment##	5,000
-------------	-------

Other expenditures:

Contingent fund	15,000
-----------------	--------

Governor's special fund*	10,000
--------------------------	--------

New England governor's council	8,000
--------------------------------	-------

Governor's legal counsel	7,475
--------------------------	-------

Secretary for legal counsel	2,340
-----------------------------	-------

Trainee program**	22,000
-------------------	--------

Total	164,065
-------	---------

+Salaries paid out of this appropriation shall be at levels set by the governor.

#Expense of operating and maintenance of the governor's state car shall be charged to this appropriation.

##Included in this sum is \$4,000 for purchase of a new state car for the governor.

*The funds appropriated under this item are to be spent by the governor in his own and sole discretion for state purposes, including but not limited to participation in the activities of the United States' Governors Conference, the New England Conference of Governors, and the council of state governments, for which monies are not otherwise appropriated.

**The funds appropriated under this program shall not be transferred or expended for any other purpose.

Office of economic opportunity:

Personal services:

Temporary	\$40,800
-----------	----------

Consultants	2,000
-------------	-------

Total	42,800
-------	--------

Current expenses	6,950
Travel:	
In state	3,000
Equipment	2,578
	<hr/>
Total	55,328
Less federal grant	49,250
	<hr/>
Net appropriation	6,078*

*State matching appropriations available for expenditure only if funds are available from a federal grant. If the federal grant is reduced, expenditure of state matching appropriation shall be reduced proportionately.

Emergency fund	50,000
Operating budget contingent fund	50,000++

++Transfers from this fund are subject to prior approval by the governor and council and may be made to all state agency appropriations, excluding only the governor and council. The director of accounts shall keep a record of transfers approved for other than general fund agencies, and shall report such special fund transfers to the legislature for appropriate adjustment between funds.

Executive council:	
Personal services:	
Other—per diem	19,750
Secretary to executive council	3,250
	<hr/>
Total	23,000
Current expenses	2,000
Travel:	
In state	4,500
Out of state	500
	<hr/>
Total for executive council	30,000
	<hr/>
Total for executive branch	300,143
	<hr/>

Amend the appropriation For judicial branch: For supreme court by changing the figures for "Salary of clerk-reporter", as follows: 12,300 changed to 15,000; by changing the

figures for "Total" for personal services, as follows: 139,872 changed to 142,572; by changing the figures for "Total" for supreme court, as follows: 154,547 changed to 157,247; and by changing the figures for "Net appropriation", as follows: 153,897 changed to 156,597.

Further amend the appropriation For judicial branch: For judicial council by striking out the same and inserting in place thereof the following:

For judicial council	8,850+
----------------------	--------

+In this appropriation \$5,400 shall be for the salary of the secretary.

Further amend the appropriation For judicial branch: For administrative committees, by striking out the same and inserting in place thereof the following:

For administrative committees:	
For district and municipal courts	5,950
For probate courts	500
	<hr/>
Total	6,450

Further amend the appropriation For judicial branch by changing the figures for "Total for judicial branch," as follows: 464,587 changed to 472,512.

Amend the appropriation For adjutant general's department: Central administration office, by changing the figures for "Current expenses" as follows: 6,670 changed to 7,170; by changing the figures for "Total" of said paragraph, as follows: 79,092 changed to 79,592; by changing the figures for "Total for adjutant general's department" as follows: 426,310 changed to 426,810; by changing the figures for "Net appropriation" as follows: 359,274 changed to 359,774.

Amend the appropriation For administration and control: Division of budget and control, by striking out the same and inserting in place thereof the following:

Division of budget and control:	
Salary of comptroller	17,620
Salary of business supervisor	13,560

Salary of assistant business supervisor	12,120	
Salary of assistant business supervisor (agriculture)	10,260	
Other personal services:		
Permanent	5,120	
Other	2,600	
		<hr/>
Total	61,280	
Current expenses	3,784	
Travel:		
In state	750	
Out of state	510	
Equipment	325	
Other expenditures:		
Atlantic marine fisheries	700	
Firemen's relief	4,000	
League of N. H. arts and crafts	10,000+	
New England board of higher education:		
Expenses	5,660	
Grants	50,000	
Oasi contributions:		
State employees	570,000	
Teachers	565,000	
		<hr/>
Total		1,272,009

+At the close of each year an operating statement shall be submitted to the governor and council.

Further amend the appropriation For administration and control: N. H. distributing agency: Surplus property division, by changing the figures for "Travel: Out of state", as follows: 500 changed to 800; by changing the figures for "Total" of said paragraph as follows: 39,618 changed to 39,743; and, by changing the figures for "Less estimated revenue and balance" as follows: 39,618 changed to 39,743.

Further amend the appropriation For administration and control, by changing the figures for "Total for administration and control" as follows: 1,903,350 changed to 1,901,350.

Amend the appropriation For agriculture: Division of animal industry: by changing the figures for "Less estimated

revenue" as follows: 36,050 changed to 35,000; and by changing the figures for "Net appropriation" as follows: 131,622 changed to 132,672. Further amend the appropriation For agriculture: by changing the figures for "Total for department of agriculture" as follows: 381,924 changed to 382,974.

Amend the appropriation For attorney general's department: Office of attorney general, by striking out the word and sign "Reports+" and inserting in their place the following words and sign: Reports and opinions+ and also the following footnote relative thereto:

+The attorney general shall submit at least monthly to the legislative budget assistant copies of all opinions given by his office. This appropriation shall cover the expense of printing certain reports and also the expense for a part time trainee in the office not exceeding five hundred dollars. No part of this appropriation shall be transferred or expended for any other purpose than herein set forth; this appropriation shall not lapse but shall be available for expenditure in the ensuing year.

Further amend the appropriation For attorney general's department: Legal assistance for land acquisition by striking out the same and inserting in place thereof the following:

Legal assistance for land acquisition:

Salaries of two assistant attorneys general	20,281
Other personal services:	
Permanent	7,521
Total	27,802
Current expenses	325
Travel:	
In state	1,525
Equipment	1,000
Total	30,652
Less transfer from highway fund	30,652

Net appropriation

0

Further amend the appropriation For attorney general's department: Division of charitable trusts, by striking out the same and inserting in place thereof the following:

Division of charitable trusts:

Salary of director	6,240
--------------------	-------

Other personal services:

Permanent	6,711
-----------	-------

Other	400
-------	-----

Total	13,351
-------	--------

Current expenses	400
------------------	-----

Travel:

In state	150
----------	-----

Out of state	100
--------------	-----

Equipment	200
-----------	-----

Total	14,201
-------	--------

Further amend the appropriation For the attorney general's department: by inserting the following after the paragraph for Division of charitable trusts:

Office of coordinator of federal funds:

Salary of coordinator**	13,000
-------------------------	--------

Personal services:

Permanent	3,858
-----------	-------

Total	16,858
-------	--------

Current expenses	200
------------------	-----

Travel:

In state	100
----------	-----

Out of state	2,500
--------------	-------

Total	19,658
-------	--------

#There is established by this appropriation the position of coordinator of federal funds, who shall be appointed by the governor and council as an unclassified employee and who shall be qualified by education and experience and he shall hold office at the pleasure of the governor and council. Subject to the direction and supervision of the attorney general he shall (1) inform and advise the heads of all state departments, divisions, agencies and commissions and the legislative budget assistant concerning federal programs from which the state may be eligible to receive federal funds and concerning the requirements which must be met in order to participate therein, (2) review all requests and agreements originating in any state

department, division, agency and commission relating to participation in any federal program from which federal funds may be received, (3) receive accounts from all state departments, divisions, agencies and commissions setting forth the amounts of funds received each quarter from the federal government and the disposition and use of all such funds (4) assist, upon request of the head of any department, division, agency and commission, in the preparation of requests and applications for federal funds (5) make reports as requested by the governor concerning the receipt and use of federal funds and the availability of such funds for programs of all types (6) receive and review all federal audits of accounts of federal funds administered by state agencies, copies of such reports shall be furnished to the legislative budget assistant (7) perform such other related duties as the governor and council shall require of him.

**The salary range for coordinator is established at \$12,500 to \$15,000. The salary may be increased by governor and council to any step within the range, if additional funds are required for this position they shall be a charge upon the salary adjustment fund.

Further amend the appropriation For the attorney general's department by changing the figures for "Total for attorney general", as follows: 157,165 changed to 177,143.

Amend the appropriation For department of health and welfare: Office of commissioner of health and welfare, by striking out the same and inserting in place thereof the following:

Office of commissioner of health and welfare:	
Salary of commissioner	17,680
Business supervisor—health and welfare	13,500
Other personal services:	
Permanent	172,827
Other	3,000
Total	207,007
Current expenses	47,459
Travel:	
In state	1,900
Out of state	1,400
Equipment	1,571

Other expenditures:	
Oasi and retirement	12,610
	<hr/>
Total for office of commissioner	271,947
	<hr/>

Further amend the appropriation For department of health and welfare: Division of public health services: Health: Vital statistics by striking out the word and sign "Total+" and inserting in place thereof the word Total; further amend by striking out the footnote following said paragraph.

Further amend the appropriation For department of health and welfare: Division of welfare: Administration by striking out the same and inserting in place thereof the following:

Administration:	
Salary of director	13,184
Other personal services:	
Permanent	154,970
Other	7,000
	<hr/>
Total	175,154
Current expenses	21,078
Travel:	
In state	4,860
Out of state	1,228
Other expenditures:	
Blue cross and insurance	7,458
Merit system	4,500
Educational leave+	10,000
Employees retirement	51,694
Social security	40,340
Physical examinations for applicants	1,000
	<hr/>
Total	317,312

+Not to be transferred or used for any other purpose. The total grant to any one person shall not exceed \$5,000 which shall include tuition and stipend.

Further amend the appropriation For department of health and welfare: Division of welfare: Field services, by striking out the same and inserting in place thereof the following:

Field services:

Personal services:

Permanent	751,427
Other	5,075

Total	756,502
-------	---------

Current expenses	70,000
------------------	--------

Travel:

In state	40,316
----------	--------

Out of state	500
--------------	-----

Equipment	5,761
-----------	-------

Total	873,079
-------	---------

Further amend the appropriation For department of health and welfare: Blind services, by inserting at the end of said paragraph the following:

Note: All funds appropriated directly or indirectly for the sight conservation program anywhere in the appropriation for the Division of welfare are hereby transferred to the department of public health nursing in the Division of public health services and are hereby appropriated to that department to be used by it for the purposes of said program.

Further amend the appropriation For department of health and welfare: Division of welfare, by inserting after the appropriation for "John Nesmith fund" the following new paragraph:

Foster day care:

Personal services:

Permanent	11,347
-----------	--------

Current expenses	880
------------------	-----

Travel:

In state	2,316
----------	-------

Other expenditures:

Retirement	483
------------	-----

Social security	46
-----------------	----

Total	15,072
-------	--------

Less estimated federal funds	15,072
------------------------------	--------

Net appropriation	0
-------------------	---

Further amend the appropriation For department of health and welfare: Old age assistance, by changing the figures for

“State’s share” as follows: 950,082 changed to 1,353,364; by changing the figures for “Net appropriation” as follows: 859,082 to 1,262,364; by changing the figures for “Towns and counties” as follows: 1,178,254 changed to 1,312,682; and, by changing the figures for “Less estimated revenue” from towns and counties as follows: 1,178,254 changed to 1,312,682. Further amend the appropriation For department of health and welfare: Division of welfare: Old age assistance to aliens, by changing the figures for “Towns and counties” as follows: 254,987 changed to 303,516; and by changing the figures for “Less estimated revenue” from towns and counties, as follows: 254,987 changed to 303,516.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to dependent children, by changing the figures for “State’s share” as follows: 1,352,175 changed to 1,369,797; and by changing the figures for “Net appropriation” for aid to dependent children as follows: 1,272,175 changed to 1,289,797.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to needy blind: by changing the figures for “State’s share” as follows: 183,878 changed to 220,685; and by changing the figures for “Net appropriation” for Aid to needy blind, as follows: 181,678 changed to 218,485.

Further amend the appropriation For department of health and welfare: Division of welfare: Aid to permanently and totally disabled: by changing the figures for “State’s share”, as follows: 217,293 changed to 267,636; by changing the figures for “Towns and counties” as follows: 329,338 changed to 356,445.

Further amend the appropriation For department of health and welfare: Division of welfare by changing the figures for “Total for division of welfare” as follows: 4,375,261 changed to 5,090,633; by changing the figures for “Less transfer re administration from federal grants”, as follows: 620,339 changed to 723,891; and by changing the figures for “Net appropriation” as follows: 3,744,922 changed to 4,356,642. Further amend the appropriation For department of health and welfare: Division of welfare: by inserting at the end of said appropriation the following:

Note: Other provisions of law notwithstanding, any balance remaining in state accounts at the close of the fiscal year shall lapse to unappropriated surplus of the general fund.

Nursing homes and hospitals providing nursing care shall be eligible for payment by the Division of Welfare for nursing care.

If revenue and balance exceed estimates in the federal, town and county accounts of the welfare division, such excess may be expended with the approval of the governor and council, provided however that any federal administration funds in these accounts must first be transferred to the estimated revenue account for that purpose. The director of the division of welfare shall monthly certify to the comptroller the amount of said administration funds so earned and the comptroller shall then effect the transfer.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school: Administration, by changing the figures for "Other personal services: Permanent" as follows: 70,348 changed to 77,068; by changing the figures for "Total" for personal services as follows: 98,968 changed to 105,688; and by changing the figures for "Total" for administration as follows: 103,993 changed to 110,713. Further amend said appropriation for Laconia state school: Professional care and treatment, by changing the figures for Personal services: Permanent, as follows: 1,092,857 changed to 1,111,357; by changing the figures for "Total" for personal services as follows: 1,108,857 changed to 1,127,357, and by changing the figures for "Total" for Professional care and treatment as follows: 1,133,257 changed to 1,151,757. Further amend said appropriation for Laconia state school: Custodial care: by changing the figures for "Personal services: Permanent" as follows: 248,834 changed to 252,507++; by changing the figures for "Total" personal services as follows: 250,834 changed to 254,507; and by changing the figures for "Total" for Custodial care, as follows: 524,418 changed to 528,091. Further amend the appropriation For Laconia state school by adding the following footnote after "Total" for custodial care: ++The permanent position of Cook I — Position No. 0012 shall be abolished when the employment of the present employee is terminated. Further amend said appropriation For Laconia state school by changing the figures for "Total for Laconia state school" as follows: 2,265,132 changed to 2,294,025; and by changing the figures for "Net appropriation" for Laconia state school as follows: 2,253,332 changed to 2,282,225.

Further amend the appropriation For department of health and welfare: Division of mental health: New Hampshire hospital: Administration, by changing the figures for "Current expenses" as follows: 48,236 changed to 68,236; and by changing the figures for "Total" for administration as follows: 197,189 changed to 217,189. Further amend said appropriation for New Hampshire hospital: Professional care and treatment by inserting Senior psychiatrist (13) 157,243 before "Personal services" and by changing the figures for "Personal services: Permanent" from 3,346,365 changed to 3,189,122; and by deleting the footnotes following said paragraph and inserting in place thereof the following:

#This appropriation includes salaries for two temporary psych. social workers who shall be assigned to the geriatrics program, and \$5,000 for psychology interns which shall not be used for any other purpose. Students accepted as medical interns shall have completed a minimum of two years of medical school.

+No charge against this appropriation or any other appropriation of the New Hampshire hospital shall be made for nurses uniforms.

Further amend said appropriation for New Hampshire hospital by changing the figures for "Total for New Hampshire hospital" as follows: 6,118,867 changed to 6,138,867, and by changing the figures for "Net appropriation" for the New Hampshire hospital as follows: 6,055,367 changed to 6,077,367.

Further amend the appropriation For department of health and welfare: Division of mental health, by changing the figures as follows: 8,588,624 changed to 8,637,517; Further amend the total For department of health and welfare by changing the figures for "Total for department of health and welfare" as follows: 14,798,627 changed to 15,462,110.

Amend the appropriation For barbers' board by changing the figures for "Personal services: Other" as follows: 1,100 changed to 1,650; and by changing the figures for "Total" for barbers board as follows: 5,670 changed to 6,220.

Amend the appropriation For insurance department by striking out the entire appropriation and inserting in place thereof the following:

For insurance department:

Office of commissioner:

Salary of commissioner	15,181
Salary of deputy commissioner	12,240
Salary of assistant to commissioner	9,375
Other personal services:	
Permanent	64,403

Total	101,199
-------	---------

Current expenses	8,995
------------------	-------

Travel:

In state	100
----------	-----

Out of state	1,000
--------------	-------

Equipment	560
-----------	-----

Total	111,854
-------	---------

Rating division:

Personal services:

Permanent	19,775
-----------	--------

Current expense	1,435
-----------------	-------

Travel:

In state	100
----------	-----

Out of state	400
--------------	-----

Equipment	130
-----------	-----

Total	21,840
-------	--------

Real estate division:

Personal services:

Permanent	4,851
-----------	-------

Current expenses	1,872
------------------	-------

Travel:

In state	100
----------	-----

Out of state	200
--------------	-----

Equipment	425
-----------	-----

Total	7,448
-------	-------

Total for insurance department	141,142
--------------------------------	---------

Amend the appropriation For personnel department by changing the figures for "Current expense" as follows: 4,834 changed to 5,534; by changing the figures for "Total" for personnel department as follows: 116,855 changed to 117,555; and.

by changing the figures for "Net appropriation" as follows: 102,335 changed to 103,035.

Amend the appropriation For resources and economic development: Office of commissioner: Division of administration, warehouse and graphic arts, by striking out said division and inserting in place thereof the following:

Division of administration, warehouse and graphic arts:

Salary of commissioner	16,281
------------------------	--------

Other personal services:	
--------------------------	--

Permanent	152,042
-----------	---------

Other	7,200
-------	-------

Total	175,523
-------	---------

Current expenses	17,500
------------------	--------

Travel:	
---------	--

In state	2,000
----------	-------

Out of state	900
--------------	-----

Equipment	2,500
-----------	-------

Other expenditures:	
---------------------	--

Community recreation services	15,000+
-------------------------------	---------

Total	213,423
-------	---------

+This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For resources and economic development: Office of commissioner by changing the figures for "Total for office of commissioner as follows: 294,284 changed to 309,284.

Further amend the appropriation For resources and economic development: Division of resources development by inserting the sign "++" after the words "Total for division of resources development"; and by adding the following footnote after said division:

++If the income from federal grants exceeds estimates, such excess may be expended with approval of the governor and council.

Further amend the appropriation For resources and economic development: Division of parks: Bonds and interest, by changing the figures for "Chapter 263, Laws of 1961, Issue of 1963"

as follows: 645,200 changed to 612,200; by changing the figures for "Total bonds and interest" as follows: 827,942 changed to 794,942. Further amend said sub-section for Division of parks by changing the figures for "Total for division of parks" as follows: 2,179,792 changed to 2,146,792; and, by changing the figures for "Net appropriation" as follows: 496,026 changed to 463,026.

Further amend the appropriation For resources and economic development: Division of parks, by deleting the footnote at the end of said division designated with the sign "*" and insert in place thereof the following:

*Rates charged at service and self-supporting parks shall be adjusted to assure that estimated revenue will be realized as such revenue may be required to assure that the division of parks does not close the fiscal year with a deficit. Expenditures for the division of parks shall not exceed the legislative net appropriation plus actual revenue on June 30, 1967. In order to provide working capital for the operation of the agency, an amount not to exceed \$550,000 in addition to the legislative net appropriation may be a charge against the unappropriated surplus of the state beginning July 1, 1966. From such working capital the director of accounts shall encumber the sum of \$827,942 for the payment of fiscal 1967 debt service. In each succeeding month of the fiscal year the unappropriated surplus shall be reimbursed by \$55,000.

Further amend the appropriation For resources and economic development: Division of economic development: Vacation travel promotion: Other expenditures by striking out the words and figures "Planning 25,000*" and inserting in place thereof the following:

Planning	20,000*
Promotion	5,000*

Further amend the appropriation For resources and economic development: Water resources board, by changing the figures for "Other expenditures: Stream flow gauging" as follows: 24,000 changed to 24,200; by changing the figures for "Total for water resources board as follows: 153,775 changed to 153,975; and by changing the "Net appropriation" as follows: 127,147 changed to 127,347.

Further amend the appropriation For resources and economic development by changing the figures for "Total for department of resources and economic development" changed as follows: 1,979,645 changed to 1,961,845.

Amend the appropriation For department of safety: Office of commissioner by striking out the section and inserting in place thereof the following:

Office of commissioner:	
Salary of commissioner	16,500
Other personal services:	
Permanent	71,313
Other	2,100
	<hr/>
Total	89,913
Current expenses	6,700
Travel:	
In state	1,350
Out of state	750
Equipment	2,200
Other expenditures:	
Oasi, retirement, blue cross, and insurance	5,875
Conversion to EDP:	
Temporary help	12,600*
Rental of EDP equipment	51,795*
	<hr/>
Total	171,183
Less transfer from highway funds	166,959
	<hr/>
Net appropriation	4,224

*This appropriation shall not be transferred or expended for any other purpose.

Further amend the appropriation For department of safety: Initial plate fund, by adding after "Driver assistance" the following: Police training school 4,000; and, by changing the figures for "Total" for initial plate fund as follows: 76,644 changed to 80,644; and, by changing the figures for "Less estimated revenue" as follows: 76,644 changed to 80,644.

Further amend the appropriation For department of safety: Division of state police: Traffic bureau by striking out said section and inserting in place thereof the following:

Traffic bureau:	
Salary of director	12,000
Other personal services:	
Permanent	989,304
Other	2,000
	<hr/>
Total	1,003,304
Current expenses	83,420
Travel:	
In state	197,000
Out of state	1,500
Equipment	109,900
Other expenditures:	
Training	3,800
Oasi and retirement	46,390
Blue cross, insurance	6,260
For new troopers:	
Automobiles	12,000
Radios	2,934
Uniforms and equipment	4,590
Retirement, blue cross, insurance	4,902
	<hr/>
Total for traffic bureau	1,476,000
Less estimated revenue	42,400
Less transfer from turnpikes	140,223
Less transfer from highway fund	1,293,377
	<hr/>

Net appropriation

0

Further amend the appropriation For department of safety:
 Division of state police: Communications, by striking out said
 section and inserting in place thereof the following:

Communications: #	
Personal services:	
Permanent	63,520
Current expenses	16,000
Travel:	
In state	4,900
Equipment	1,900
Other expenditures:	
Oasi, retirement, blue cross, insurance	4,210
	<hr/>

Total	90,530
Less estimated revenue	800
Less transfer from highway fund	80,227

Net appropriation	9,503
-------------------	-------

#Only 4 uniformed employees shall be assigned to the communications section.

Amend the appropriation For industrial school: Custodial care, by deleting same and inserting in place thereof the following:

Custodial care: *

Personal services:

Permanent**	331,485
Other	8,998

Total	340,483
Current expenses+ #	65,350
Equipment	2,151

Total	407,984
-------	---------

* Such sums as may be required for the custody of certain inmates shall be transferred from the emergency fund upon approval by the governor and council.

**The permanent position of housekeeper, included in this appropriation, shall be abolished when the position becomes vacant.

+ In this appropriation \$22,500 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$22,500.

In this appropriation \$1,550 shall be for subsistence and support of persons and shall not be used for any other purpose or transferred to any other account.

Further amend the appropriation for industrial school by changing the figures for "Total for industrial school" as follows: 676,493 changed to 683,228; and by changing the "Net appro-

priation" for the industrial school as follows: 669,993 changed to 676,728.

Amend the appropriation For higher education fund by deleting the same and inserting in place thereof the following:

For higher education fund:

Includes university of New Hampshire,

Plymouth state college and

Keene state college 6,425,000+

+ For the fiscal year ending June 30, 1967, the millage formula provided by RSA 187:24 is hereby suspended and the sum hereby appropriated shall be the total appropriation for the university of New Hampshire, Plymouth state college and Keene state college and shall be in lieu of requirements for appropriation under said RSA 187:24; provided however that there is hereby appropriated the additional sum of up to \$750,000 to be added to the above appropriation for the above uses, which shall be a charge against general fund unappropriated surplus, provided further, that only so much of said \$750,000 shall be appropriated as the governor and council determine is in excess of estimated general fund unappropriated surplus, and provided further that the governor and council shall include in determining said surplus all lapses and all funds in the salary adjustment fund.

Amend the appropriation For board of education: by inserting after Foundation Aid: State aid to school districts the following new section:

Special aid to 20 school districts 102,710

Amend the appropriation For board of education: Smith-Hughes and George Barden by placing an asterisk after 84,144 for Personal services: Permanent and inserting the following footnote at the end of the paragraph:

* This appropriation includes funds for a position of director of business education and these funds shall not be transferred or expended for any other purpose.

Further amend the appropriation For board of education: Intellectually retarded children by striking out said paragraph and inserting in place thereof the following paragraph:

Intellectually retarded children 102,674
Emotionally disturbed children 10,000

Further amend the appropriation For board of education, by inserting after the paragraph for "National defense education act — title X" the following new paragraph:

Manpower development and training fund:

Other expenditures	750,000
Less estimated federal funds+	675,000

Net appropriation	<u>75,000</u>
-------------------	---------------

+If the federal grant is less than the amount of the estimate shown herein, the total appropriation shall be reduced in like proportion.

Further amend the appropriation For board of education: by changing the figures for "Total for board of education", as follows: 6,580,871 changed to 6,768,581; by changing the figures for "Net appropriation" for the board of education as follows: 6,574,171 changed to 6,761,881.

Amend the appropriation For coordinating board of advanced education and accreditation by deleting the same and inserting in place thereof the following:

For coordinating board of advanced education and accreditation:

Salary of executive secretary	5,000
Other personal services:	
Other	3,167

Total	8,167
Current expenses	750
Travel:	
In state	900
Out of state	100
Equipment	55

Total	<u>9,972</u>
-------	--------------

Amend the appropriation For bank commissioner: Administration, by striking out under Other personal services the word and sign "Permanent*" and inserting in place thereof the word Permanent, and by deleting the related footnote at the end of the paragraph. Further amend the appropriation For bank commissioner by striking out the word, sign and figures "Total for

bank commissioner+ \$15,000" and inserting in place thereof the following:

Total for bank commissioner+ \$15,000++
Further amend the appropriation For bank commissioner by adding the following footnote at the end of said appropriation:

++None of the general funds of the state shall be expended for any of this appropriation except for the payment of the salary of the commissioner.

Amend the appropriation For liquor commission: Administration: Current expenses by striking out the figures and sign "61,610#" and deleting the related footnote at the end of the paragraph and, inserting in place thereof the following: 61,610.

Further amend the appropriation For liquor commission: Stores operation, by striking out the same and inserting in place thereof the following:

Stores operation:

Personal services:

Permanent	1,155,307
Other	175,000

Total	1,330,307
-------	-----------

Current expenses	383,150
------------------	---------

Travel:

In state	9,875
----------	-------

Equipment	19,500
-----------	--------

Other expenditures:

Oasi and retirement	73,429
---------------------	--------

Total	1,816,261
-------	-----------

Less revenue from sweepstakes commission	246,600
---	---------

Net appropriation	1,569,661
-------------------	-----------

Further amend the appropriation For liquor commission by changing the "Total for liquor commission" as follows: 2,106,281 changed to 2,156,434.

Amend the appropriation For public utilities commission by changing the figures for "Travel: Out of state" as follows: 2,000 changed to 2,500, and by changing the figures for "Total

for public utilities commission" as follows: 198,551 changed to 199,051.

Amend the appropriation For tax commission by inserting after the Taxation of boats: Net appropriation, the following new item:

Appraisal school for selectmen and assessors	2,000
---	-------

Further amend the appropriation For tax commission by changing the figures for "Total for tax commission" as follows: 654,763 changed to 656,763.

Further amend section 1 by changing the figures for "Total net appropriation for the fiscal year ending June 30, 1967" as follows: 42,865,144 changed to 43,284,339.

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Out of state travel. Notwithstanding any other provision of law, no transfers shall be made to or from any out of state travel appropriation authorized by section 1. The state treasurer and the state comptroller shall maintain separate appropriations accounts for out of state travel as appropriated in section 1.

Amend the bill by striking out sections 13 and 14 and inserting in place thereof the following new sections:

13 Sweepstakes Commission Funds. Notwithstanding any provision of law to the contrary, in order to allow the sweepstakes commission to efficiently handle its funds, the commission shall deposit all funds received by it in commercial banks throughout the state in not more than as many different accounts as there are outlets for the sale of tickets. The commission may maintain a balance of \$20,000 in one of said accounts and \$10,000 in all others. All funds in said accounts in excess of said balances shall be transferred weekly to a special sweepstakes bank account in the Merchants National Bank of Manchester in which there shall be maintained a minimum balance of \$100,000, as soon as said amount is available from current sales of tickets. All sums in excess of said minimum of \$100,000 in said special account shall be remitted weekly to the state treasurer for credit to the sweepstakes special fund. Provided however, that on or before December 15 of each year all minimum balances shall be paid into the state treasurer.

14 Interim employment. In addition to any sum appropriated hereinabove for the office of the secretary of state there is hereby appropriated \$3,250 for the employment of Benjamin F. Greer, clerk of the senate during the period from July 1, 1966 to December 31, 1966 at the rate of \$250 bi-weekly. The services of said Benjamin F. Greer shall be available to interim legislative committees and to the secretary of state's department. The sum hereby appropriated shall be a charge on the legislative appropriation.

15 New positions. Notwithstanding any other provision of law, during the fiscal year ending June 30, 1967, no new position, or positions whether classified or unclassified, shall be established except as hereinafter provided and if any position or positions are so established the person or persons employed in such a position or positions shall be paid as hereinafter provided: (1) Upon a finding by the governor and council that a bona fide emergency exists they may establish new positions provided however, that the funds for the salary of the person or persons employed to fill such new positions shall be transferred from the emergency fund (2) A new position or positions may be established under other existing statutes provided that no less than fifty percent of the salary of the person or persons employed to fill such new position or positions is reimbursable by federal or other special funds and if such new position or positions are established the state's share of said salary shall be a charge against the salary adjustment fund.

16 Room assignment. Other provisions of law notwithstanding all rooms on the third floor of the state house shall be assigned for use by the President of the Senate and the Speaker of the House.

17 Increases to temporary and seasonal personnel. While no additional monies were appropriated for salary increases to temporary and seasonal personnel, appointing authorities are authorized to give the same amounts of increases to such personnel as provided permanent classified employees from within amounts available for other personal services, provided however, that such increases will not curtail departmental operations.

18 Salary adjustments. Upon request of the appointing authority, the governor and council is hereby authorized and empowered, notwithstanding any other provision of law to the

contrary, upon a finding by them that it is in the best interests of the state and is necessary in order to recruit qualified personnel to increase the salaries of the following listed and identified positions, and all such increases granted shall be a charge against the salary adjustment fund: assistant superintendent New Hampshire Hospital, directors of clinical services, director of clinical and surgical services, director of division of mental health, director of division of public health services, director of outpatient services, director of psychiatric education and research, senior psychiatrists, superintendent New Hampshire Hospital, and superintendent of state sanatorium; all classified positions that, in the best interests of the state, require they be filled by a person certified or eligible to be certified by the American Board of Neurology and Psychiatry or by a diplomate or person eligible to be a diplomate of the American Psychological Association or by a person registered and licensed or eligible to be registered and licensed to practice medicine in this state or by a person licensed or eligible for licensure to practice dentistry in this state. In the event the authority hereby granted is exercised to increase the salary for any such classified position in order to recruit personnel, the salary of all classified personnel in the same classification shall be increased pursuant to this section to the same amount. Notwithstanding any other provisions of law to the contrary, no classified employee of the state shall be paid a higher salary than the highest salary range provided for by RSA 99, as amended, except as provided for by this section.

19 Takes effect. This act shall take effect July 1, 1966.

Stuart Lamprey

Lucien E. Bergeron

Conferees on the part of the Senate

Joseph M. Eaton

William H. Craig

Milburn F. Roberts

Conferees on the part of the House

On motion of Senator Lamprey, the reading of the Report of the Committee of Conference was dispensed with.

Senator Lamprey: "Again, I will be glad to answer any questions."

Senator Gardner inquired: "Was the money put in for temporary and seasonal help at the areas?"

Senator Lamprey: "Article 17 would increase the temporary and seasonal personnel. Authorities are authorized to give the same increases as the other employees provided that such increases will not curtail departmental operations. They will get it unless the department makes a determination that there are not funds enough available to operate the department for a full year. This was discussed by the Senate Finance Committee."

Senator Gardner: "As I understand it, there was not enough money in Tobey's department to do this."

Senator Lamprey: "Perhaps three or four departments where the department head would have to make a determination where there was not money enough to grant them. You will remember the State Highway had enough money, but they did not care to pay the money. Under labor grade 4, \$1.67 for seasonal if within the area of parks, it was decided that he could not pay the amount and still operate his units, then he would have that right to make the determination and pay the different salary schedule. \$1.28 for 48 hours. \$1.42 for 40 hours and grade 4 would get \$1.67."

Senator Gardner: "Before the Committee, we understood that the park manager had said that they would not get the raise."

Senator Lamprey: "This would have to be by the head of the division and no one else. It is my understanding that personnel either stated that in certain areas that it would be as low as \$1.28 and \$1.42 in some cases."

Senator Gardner: "Is it not true that it will remain the same at Sunapee and Cannon Mountain?"

Senator Lamprey: "I would think that was not a true evaluation?"

Senator Lamontagne: "What does this amount to — the need for this appropriation that we are now talking about?"

Senator Lamprey: "About 68,000 for just parks."

Senator Martin inquired: "Then we are not appropriating for any increase in the temporary or seasonal help?"

Senator Lamprey: "In cases where he finds that he cannot. division 4 managers, I think in most instances, you will find that they will pay \$1.67."

Senator Martel inquired: "Then all together, what is the total appropriated?"

Senator Lamprey: "The total of the two figures at the bottom of the pages; 87 million, 302 thousand, 4 hundred and 44 dollars."

Senator Gardner inquired: "There is nothing in the budget for the permanently handicapped?"

Senator Lamprey: "That is correct. They are not in the budget figures but they are coming through on a separate bill. There is at least one additional employee and the Committee of Conference was dead set against putting on any employee. That bill is now in a Committee of Conference."

Senator Waterhouse inquired: "Is there enough money appropriated in the 2nd year of the biennium to provide for the needy school districts?"

Senator Lamprey: "It was decided to put that money in for the 20 most needy towns, and we took care of the emotionally disturbed and physically handicapped. I would hope that we could get \$100,000 and one employee."

Senator Martin: "Are the 20 most needy towns included?"

Senator Lamprey replied in the affirmative.

On a *viva voce* vote, the Report of the Committee of Conference was adopted.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

SB 80, relative to guaranteed loans to students for higher education. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend RSA 186:54 as inserted by section 1 of the bill by striking out the last six lines and inserting in place thereof the following:

ment, and clerical assistance as required. The members of the committee shall serve without compensation

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills:

HB 463, increasing the salaries of the county commissioners and treasurer of Carroll County. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Carroll County Commissioners. Amend RSA 28:28 (supp) as amended by 1955, 247:4, 269:1, 1957, 182:1, 246:1, 1961, 80:1, 157:1, 210:1, 1963, 94:1, 329:2, 1965, 142:1 and 191:1 by striking out the words "In Carroll, twelve hundred dollars" and inserting in place thereof the words, In Carroll, eighteen hundred dollars, so that said section as amended shall read as follows: 28:28 Commissioners. The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, three thousand dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, eighteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, forty-five hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, eighteen hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, two thousand dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Takes Effect. This act shall take effect January 1, 1966 provided however, that the increase in salary of the county commissioners of Coos county provided for by 1965, 142:1 shall take effect July 1, 1965.

On motion of Senator Martin, reading of the amendment was dispensed with.

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills:

SB 76, relative to the exemption from tax on neat stock and poultry. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend the bill by striking out the first three lines and inserting in place thereof the following:

1 Condition of Receiving Exemption. Amend RSA 72:15 by inserting after paragraph X the following new para

The Senate voted to concur.

On motion of Senator English, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Judiciary: SB 130, relative to filing in primaries. Ought to pass with amendment.

Amend the bill by inserting after section 1 the following new section:

2 Supplementary Petitions, Time of Closing. Amend RSA 56:23 by striking out the words "six o'clock in the afternoon" and inserting in their place the words, five o'clock in the afternoon, so that the section is amended to read as follows:

56:23 Supplementary Petitions. In such case supplementary petitions may be filed, but not later than forty-six days before the primary for those to be filed with the secretary of state, and for all others forty-nine days. The number of days herein given shall include Sundays and shall end on the day before the primary at five o'clock in the afternoon.

Further amend the bill by renumbering section 2 to read section 3.

* * *

Senator English: "Mr. President, this is an amended report and in both cases, it involves the numbers six and 5 and six and five. Under the existing statutes, the time for filing shall

be by 6 p.m. in the evening. This was amended to 5 p.m. at the request of the Secretary of State."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Remarks by Senator English

"Mr. President, a distinguished Citizen of Dublin died on Saturday. Mrs. Corinna Smith was herself an artist and was the widow of artist Joseph Lindon Smith. They lived and played a prominent part in the town of Dublin for some 70 years, taking an interest not only in local affairs, but in state and international affairs. Both will be remembered for their great contributions to the understanding of Egypt during the period prior to the birth of Christ.

"May I resolve at this time that the Senate of the State of New Hampshire convey their deep sympathy to Mrs. Smith's numerous family."

The Chair: "So ordered, without objection."

On motion of Senator English, the rules were suspended to permit introduction of a Committee, not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Education: HB 783, relative to establishment of state junior colleges. Ought to pass.

Senator English: "Mr. President, this bill was amended to remove chiefly the \$2,000 appropriation which was on it and it provides for a commission to be established to study into this matter. The amended bill is printed on page 2391 of the House Journal. It is simply setting up a commission."

The bill was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments:

HB 213, relative to the salaries of county attorneys. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following new section:

1 Salaries of County Attorneys. Amend RSA 7:35 (supp) as amended by 1955, 247:2; 1957, 34:1; 211:1; 1959, 6:1, 1961. 107:1; 208:1; 1963, 95:1; 1965, 329:1, by striking out the section and inserting in its place the following:

7:35 Salaries. The annual salaries of the county attorneys in the several counties are as follows:

In Hillsborough, county attorney, seventy-five hundred dollars.

Assistant county attorney, thirty-five hundred dollars.

In Rockingham, six thousand dollars.

In Merrimack, four thousand dollars.

In Strafford, thirty-five hundred dollars.

In Cheshire, three thousand dollars.

In Grafton, five thousand dollars.

In Coos, three thousand dollars.

In Sullivan, four thousand dollars.

In Belknap, four thousand dollars.

In Carroll, three thousand dollars.

Senator Buchanan: "Mr. President, this is a well amended bill; at least four or five of them put on by the House."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments:

HB 728, relating to full time employees of approved public academies. Ought to pass.

Senator Buchanan: "Mr. President, in several communities of the state, we have privately endowed institutions which provide secondary education for the community in which they exist as well as for similar towns surrounding. The teachers are eligible for retirement benefits. However, the other employees of the school, particularly the custodian or janitor, and such secretarial help they may have do not qualify and this bill is intended to qualify them under the employees retirement system of the state."

The bill was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments:

HB 601, relative to licensing of dogs. Ought to pass with amendment.

Amend the bill by striking out the title and inserting in place thereof the following:

An Act relative to licensing of dogs and
information on felony.

Further amend the bill by striking out section 4 and inserting in place thereof the following new sections:

4. Reports of Police Officers. Amend RSA 106-B:12 by striking out the sentence beginning "When any police employee shall apprehend" and inserting in place thereof the following sentences, When any police employee has knowledge of or suspects that a felony has been committed, or when an arrest has been made for a felony, the police employee shall notify the county attorney and the sheriff of the county in which the offense was, or was suspected of being committed. Such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees. The police employee shall notify the county attorney and the sheriff

of these incidents by the quickest means of communication available, either radio, telephone or by person. A police officer who fails to so notify the county attorney and the sheriff of these incidents shall be suspended without pay by the commissioner of safety for a maximum of ten days, so that said section as amended shall read as follows:

106-B:12 Authority and Duties of Police Employees. Police employees shall be ex-officiis constables throughout the state, shall patrol the highways, enforce the highway traffic laws and regulations, enforce the motor vehicle laws relative thereto, and the director, division of state police, shall report to the director, division of motor vehicles, all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein and then only upon order of the governor. When any police employee has knowledge of or suspects that a felony has been committed, or when an arrest has been made for a felony, the police employee shall notify the county attorney and the sheriff of the county in which the offense was, or was suspected of being committed. Such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees. The police employee shall notify the county attorney and the sheriff of these incidents by the quickest means of communication available, either radio, telephone or by person. A police officer who fails to so notify the county attorney and the sheriff of these incidents shall be suspended without pay by the commissioner of safety for a maximum of ten days.

5. Takes Effect. Sections 1, 2 and 3 of this bill shall take effect April 1, 1966. Section 4 shall take effect sixty days after its passage.

Senator Buchanan: "Mr. President, this is a bill, the amendment to which also changes the title so that it is relative to licensing of dogs and information on felony. Presently, there is a penalty of 50 cents if you do not pay your dog license on time and this will increase it to \$1. It will also change the time to June. In addition, this will require police officers who are aware of a felony or an arrest being committed in one county to so advise

the police or the authority in the county in which the offense was committed or was suspected to be committed. This obligates the police to have a little bit better knowledge of what is going on in counties. There was no opposition."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments. HB 759, relative to auctioneers. Ought to pass.

Senator Buchanan: "This is a relatively unimportant bill, unless you are an auctioneer from outside New Hampshire. At the present time, auctioneers from outside New Hampshire can come into New Hampshire and actually swindle people whose only recourse is through the federal government. This bill in part will require all non-resident auctioneers operating within the state of New Hampshire to procure a surety bond which will be deposited and kept with the Secretary of State. The sponsor of the bill appeared and told of cases where such a person came here to New Hampshire and swindled people. This is good legislation and we recommend its passage."

The bill was ordered to a third reading.

Introduction, First & Second Reading of Senate Bill

SB 136, relative to rental of certain accommodations to minors under twenty-one years of age. (Martel)

On motion of Senator Martel, printing of the bill was dispensed with. Same to be printed in the Journal. Referred to Judiciary.

1 Rental to Minors. Amend RSA 353 by inserting after section 3 the following new section 353:3-a Minors. Any city by vote of the city council and any town at any meeting may adopt an ordinance or by-law regulating the rental to minors under twenty-one years of age of accommodations in public

lodging houses as defined in section 3 of this chapter and of any house, cottage, apartment or other dwelling place or portion thereof which is let, rented or hired for a period of less than one year. Such ordinance or by-law may include, but not be limited to, provisions regarding impersonation or falsification in any way of public lodging house registration. Such cities and towns may affix penalties for violation of such ordinances or by-laws at a fine not more than one hundred dollars.

2 Takes Effect. This act shall take effect upon passage.

Concurrent Resolution

Senators Johnson and Gardner offered the following Concurrent Resolution:

Concurrent Resolution

Securing Rights and Benefits to Authors

Whereas, New Hampshire was the fifth sovereign state to recognize the indisputable justice of protecting authors' works by enacting state copyright laws; and

Whereas, this Act passed by the Council and House of Representatives in the fourth session of our Legislature on November 7, 1783 was entitled "An Act for the Encouragement of Literature and Genius, and for Securing to Authors the Exclusive Right and Benefit of Publishing Their Literary Productions, For Twenty Years", and stipulated that there was no property more peculiarly a man's own than that which is produced by the labor of his mind; and

Whereas, the present copyright laws adopted by Congress in 1909 allow only eight years more protection to authors unless renewed, than that authorized by the sovereign state of New Hampshire in 1783; and

Whereas, there is pending before Congress HB 4347, an act to secure more adequate protection of the property rights of authors in this advanced technological era;

Now, Therefore, Be It Resolved, that we, the here assembled members of the General Court of New Hampshire, be recorded as supporting a revision of our Federal Copyright Laws in a manner which will carry forward the spirit of safe-

guarding the rights of authors and providing adequate encouragement to them — a movement which was so ably fostered by New Hampshire at the very inception of its sovereignty; and

Be It Further Resolved, that copies of these Resolutions be forwarded to the members of the New Hampshire Congressional Delegation, the Hon. Chairman of the House Judiciary Committee, and the Hon. Chairman of the Senate Judiciary Committee of the Congress of the United States.

The Concurrent Resolution was adopted.

Resolutions

On motion of Senator Foley, the following Resolution was adopted:

Resolution

Whereas, We have learned of the retirement of Robert B. Miller, Brigadier General, United States Air Force, who is Commander of the 817th Air Division of Pease Air Force Base; and

Whereas, General Miller has given many years of faithful service to his country in performing his duties in the Air Force; Now, therefore be it

Resolved, That the Senate of the State of New Hampshire, extend our heartfelt congratulations to General Miller and wish him God Speed in his new role of retirement; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to General Miller.

On motion of Senator Foley, the following Resolution was adopted:

Resolutions

Whereas, Leslie A. Smith, Colonel, USAF, Base Commander of Pease Air Force Base, New Hampshire has performed his tour of duty at the Base in such an exemplary manner; and

Whereas, Colonel Smith has worked diligently and well with the people of the community who have learned to know and respect him; and

Whereas, He is leaving for new duty at SAC Headquarters, Offutt Air Force Base, Nebraska, Directorate of Material; now, therefore, be it

Resolved That the State of New Hampshire extend our heartfelt thanks to Colonel Smith in behalf of the State Senate and wish him well on his new assignment; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to Colonel Smith.

On motion of Senator Foley, the following Resolution was adopted:

Resolution

Whereas, Lamarr L. Woodward, CDR, United States Navy, Operations Officer at the Portsmouth Naval Shipyard, is leaving his assignment at that Shipyard and is being transferred to duty in Spain; and

Whereas, CDR Woodward has worked diligently and well for everyone on his assignment at the Portsmouth Shipyard and will be very much missed; now, therefore, be it

Resolved, That the State Senate of the State of New Hampshire extend thanks to CDR Woodward for his past performances and wish him every success on his new assignment; and be it

Further Resolved, That the Clerk of the Senate be instructed to transmit a copy of these Resolutions to Commander Woodward.

Senator Lamontagne: "Mr. President, no one has praised the job that was so well done by the enforcing of the new law and the trouble that was had in Laconia. I think that all the officers should be complimented for a job well done. I will ask this be written into the record."

Senator English presiding.

On motion of Senator Waterhouse, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Waterhouse, for the Committee on Ways & Means:

HB 748, relative to procedures of re-assessment of property by the Tax Commission. Ought to pass.

Senator Waterhouse: "Mr. President, this is a housekeeping bill and it extends the time when a town or city is ordered to a re-assessment. The cost will be paid by the state unless until such time as the town has their regular annual meeting, at which time, they will reimburse the state."

Senator Lamprey offered the following amendment and spoke in support:

No Transfer of Fund. Amend 1963, 199:1 by striking out in the appropriation for the department of labor the following:

"Less transfer from second injury fund	42,500†
Net Appropriation	<u>\$104,440</u>

†Notwithstanding any other provision of law, the commissioner of labor is hereby directed to transfer from the balance in the second injury fund, established under the provisions of RSA 281:48, to the general funds of the state the sum of forty two thousand five hundred dollars. Said sum shall be credited against the appropriation made herein for the department of labor."

Further amend said section by striking out the figure \$33,-172,165." in the last line of said section and inserting in place thereof the figure, \$33,214,665.

"The reason that I offer this amendment today is because it must be approved by the House tomorrow if we are to save this \$42,500. This is a fund that was created by transfer from second injury fund and placed in trust with the state. The Appropriations and the Senate Finance during the last session of the Legislature decided that this second injury fund should be put into the Labor fund. This has not as yet been transferred. We look upon this as a trust fund. This is set aside in case of a second injury to a person under the Workmen's Compensation Law. Therefore, I urge the Senate to adopt this amendment, but I do wish to explain from the floor why this is being done. If we wish to retain it, it must be done by July 1st."

Senator Martel: "Mr. President, I subscribe wholeheartedly to the remarks of my colleague from the 4th District."

The amendment was adopted, and the bill as amended was ordered to a third reading.

Senator Lamprey presiding.

House Message — First & Second Reading of Bills

HB 539, relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack County. Referred to Judiciary.

HB 587, to provide for an Advisory Boiler Board and for safe construction, installation, inspection, operation, maintenance, and repair of boilers. Referred to Banks, Insurance & Claims.

HB 638, relative to the Salem School District. Referred to Education.

HB 715, to amend the powers of the passenger tramway safety board. Referred to Public Works & Transportation.

HB 795, to amend the workmen's compensation law. Referred to Labor.

HB 323, to establish lifeguard services and state controlled automobile parking lot operations at Hampton Beach State Park. Referred to Finance.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled joint resolutions and bill, sent down from the Senate:

SJR 14, in favor of Leon R. Parent and Basil Connolly.

SJR 15, in favor of Richard C. Lassar.

SB 83, relative to the New Hampshire State Port Authority and the operation of air navigation and land transportation facilities.

The Message also stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 118, authorizing the town of Hampton to increase the maximum salary of the justice of the Hampton District Court.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

authorizing the town of Hampton to increase the
maximum salary of the justice of the Hampton
District Court.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Hampton District Court. Amend RSA 502-A:6 (supp) as inserted by 1963, 331:1 by adding at the end thereof a new paragraph V: V. The governing body of the town of Hampton may vote such salary for the justice of the Hampton District Court exceeding the maximum provided in paragraph I of RSA 502-A:6 as the governing body may determine, but not less than twenty-five hundred dollars and not more than thirty-five hundred dollars.

This exception makes provision for the Hampton District Court which has a large temporary population not contemplated in paragraph I of RSA 502-A:6.

On motion of Senator Hunter, reading of amendment was dispensed with.

On further motion of the same Senator, the Senate voted to concur.

The Message also stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 257, to regulate the filing of plans for land subdivisions.

Amend the bill by striking out the first three lines and inserting in place thereof the following:

1 Registers of Deeds. Amend RSA 478 by inserting after section 13 the following new section: 478:13-a Recording of Plans

The Senate voted to concur.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bills:

HB 653, making appropriation for the expenses of certain departments of the state for the year ending June 30, 1966.

HB 654, making appropriation for the expenses of certain departments of the state for the year ending June 30, 1967.

The Message further stated that the House refuses to concur with the Senate in the passage of the following entitled bill and joint resolution, sent down from the Senate:

SB 110, establishing the Bristol District Court.

SJR 12, in favor of George W. LaRocque.

The Message also stated that the House has voted to refer to the Judicial Council the following entitled bill, sent down from the Senate:

SB 113, relating to fees deposited with the superior court.

The Message further stated that the House has voted to accede to the request of the Senate for a Committee of Conference on the following entitled bill:

HB 43, making appropriation for county extension agents. And the Speaker has appointed as members of said Committee on the part of the House: Weeks of Greenland; Underwood of Chester; and Ballam of Walpole.

Statement by the Chair

"The Chair would state — those bills that we have just read in from the House, they should be set up for hearings. This is possibly the last bill."

On motion of Senator Martel, the Senate went into the afternoon session.

Afternoon Session

Third Reading & Final Reading of Bills

HB 404, relating to district and municipal courts.

Senator Gove moved re-consideration of the vote on the above entitled bill and urged the Senate to vote yes. He spoke

in support of his motion: "This bill was offered to the consideration of the Senate this morning. It had an amendment to it that I do not believe was published in the Journal. The legal aspects of the entire bill were gone over by Senator Rinden, but the amendment to the bill which is a simple amendment was not. As I read the amendment, this would preclude the city of Concord from the benefits of this bill. I have taken the trouble to see several attorneys in the city of Concord and they are at a loss to explain why this particular maneuver was done so I would hope that the Senate would vote yes. I represent many lawyers of the city of Concord. I strongly hope that you will reconsider the vote."

Senator Rinden: "Mr. President, this amendment that was just referred to was published in the Journal and was adopted after full consideration in the Committee. Being a member, representing most of Concord, I am in favor of the amendment. I would ask that the Senate vote against reconsideration. The amendment pertains to joint jurisdiction between the district court and the superior court of \$500 or less. It gives the option, rather than make it the district court. These are civil cases. You have no appeal on the facts. I am simply asking to retain the practice as it has been followed for many years and not jump too hastily into the change in jurisdiction. I wish the Senate would vote against reconsideration. As a lawyer who has practiced in Concord for thirteen years. I believe I know whereof I speak. I urge the Senate to vote against this motion."

Senator Gove inquired: "This bill was drawn up by the Judicial Council?"

Senator Rinden: "The Judicial Council, in its wisdom, did treat Concord on the same level as Manchester, Nashua and Keene."

Senator Gove: "Was this your thinking, to exclude Concord?"

Senator Rinden: "The amendment was prepared by me and submitted to Rae Larraba of the Judicial Council. I went over the thing with him and he said that he would not object to it. The Committee unanimously voted to pass this and I urge the Senate to go along with it."

Senator Gove: "Were the attorneys in Concord given any opportunity about this?"

Senator Rinden: "There is no secret about this. It was published in the Journal."

Senator Gove: "I would like to make the comment that Senator Rinden did a rather poor job in presenting this amendment this morning. It was not explained in detail. I was not aware that Concord was taken out of it. I do have faith when Senators give an explanation of these bills. I certainly feel that the lawyers want to retain this."

Senator Buchanan inquired: "Is there a Bar Association in Concord?"

Senator Rinden: "There is a Bar Association in Concord. This was not brought before the Merrimack County group any more than any other bill. . . . I am simply asking that the jurisdiction in Concord be the same as it is for the rest of the state. I would like to have the residents of Concord have the choice."

Senator Buchanan moved that further consideration of the above entitled bill be made a Special Order of Business for Tuesday morning next at 11:02.

The Chair: "The motion for reconsideration is before the Senate. This must be acted upon before the motion for Special Order can be taken up."

On a *viva voce* vote, the Senate voted to reconsider its vote on the above entitled bill.

On motion of Senator Buchanan, the bill was placed on second reading.

On further motion of the same Senator, further consideration of the bill was made a Special Order of Business for tomorrow morning at 11:02 o'clock.

Third Reading & Final Passage of Bills (continued)

SB 130, relative to filing dates on primaries.

SB 133, relating to temporary loans in anticipation of the incurrence of long term debt.

HB 59, relative to construction of buildings to be used by the public.

HB 207, relative to assessors in the city of Rochester.

HB 213, relative to the salaries of county attorneys.

HB 223, to regulate extension of operators' licenses of members of armed forces during war.

HB 432, relating to the organization of savings banks.

HB 456, to provide voluntary identification cards for sale of alcoholic beverages.

HB 783, relative to establishment of state Junior Colleges.

HB 529, naming the Tenny Mountain Highway.

HB 601, relative to licensing of dogs and information on felony.

HB 608, relative to standards for tires on motor vehicles and trailers.

HB 658, relative to movement of house trailers or mobile homes.

HB 670, relative to to the registration of buses.

HB 684, relative to elections in the city of Keene.

HB 713, relative to the application of motor vehicle laws to certain non-public ways.

HB 728, relating to full time employees of approved public academies.

HB 732, to prohibit forging or altering a prescription under the drug law.

HB 759, relative to auctioneers.

HJR 6, in favor of Florence E. Martelle.

HB 748, relative to procedures of re-assessment of property by the Tax Commission.

HB 420, to revise the ward boundaries in the city of Nashua.

HB 734, to clarify the procedure on challengers of absentee ballots.

On motion of Senator O'Gara, the Senate adjourned at 6:45 p.m.

TUESDAY, June 29, 1965

The Senate met according to adjournment.

A quorum was present.

Introduction of Guests

As the guest of Senator O'Gara, Miss Judy Morrison of Dover, N. H., who represented the State of New Hampshire as MISS NEW HAMPSHIRE in the United States of America Beauty Pageant in Miami recently.

As the guest of Senator Blaisdell, a former Republican Representative from Keene, Mr. Roy Terrill.

House Message

The House of Representatives concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 48, relating to hairdressers.

Amend the bill by inserting after section 3 the following new section to read as follows:

4 Appropriation. There is hereby appropriated for the salary of inspector the sum of four thousand six hundred dollars for the fiscal year ending June 30, 1966 and the sum of four thousand nine hundred thirty-three dollars for the fiscal year ending June 30, 1967, and the sum of one thousand dollars for each of the two years for travel expenses in addition to the funds already appropriated.

Further amend the bill by renumbering section 4 to read section 5.

On motion of Senator Blaisdell, reading of amendment was dispensed with, same having been printed in Journal.

On motion of Senator Blaisdell, the Senate voted to concur.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

HB 681, relative to the salary of, and amount of fees to be collected by, the register of deeds for Grafton County.

Amend paragraph IX of RSA 478:17-b as inserted by section 2 of the bill by striking out the same and inserting in place thereof the following:

IX. Notwithstanding the provisions of RSA 454:5, the register of deeds and all town clerks in the county of Grafton shall be entitled to a fee of three dollars for the first recorded page, plus two dollars for each additional page for the entry and recording of such notices of tax liens and two dollars for the entry and recording of the discharge thereof.

On motion of Senator Martin, the Senate voted to concur.

Introduction, First & Second Reading of Senate Bill

SB 137, restricting the practice of law by persons not having been lawfully admitted to practice. (Johnson) Referred to Judiciary.

On motion of Senator English, the printing of the above entitled bill was dispensed with. Same to be printed in the Journal.

An Act restricting the practice of law by persons not having been lawfully admitted to practice.

1 Right to Appear. Amend RSA 311:1 by striking out in lines two and three the words "or by any citizens of good character" and inserting in place thereof the following, or by his or her spouse or by any blood relative of good character who is not being remunerated for this service. Any person shall have the right to draw his own will, or to draw a deed for any conveyance to which he is a party, so that said section as amended shall read as follows: 311:1 Right to Appear, etc. A party in any cause or proceeding may appear, plead, prosecute or defend, in his proper person or by his or her spouse or by any blood relative of good character who is not being remunerated for this service. Any person shall have the right to draw his own will, or to draw a deed for any conveyance to which he is a party.

2 Prohibition. Amend RSA 311:7 by striking out said section and inserting in place thereof the following: 311:7 Prohibition. No person, other than a party to the cause or proceeding,

shall be permitted to practice as an attorney in court, except as permitted in 311:1, unless he has been admitted by the court and taken the oath aforesaid.

3 Unauthorized Practice Prohibited. Amend RSA 311:9 by inserting in line nine after the word "practice" the words, drafts deeds or wills for another, or, so that said section as amended shall read as follows: 311:9 Unauthorized Practice Prohibited. Whoever has been so removed and continues thereafter to practice law, or to receive any fee for his services as an attorney or counselor at law, or whoever, not having been lawfully admitted to practice, represents himself to be an attorney or counselor at law, or to be lawfully qualified to practice in the courts of the state, or holds himself out or represents or advertises himself as having authority or power in behalf of others to procure the settlement of claims for damages to person or property, or whoever, not being admitted to practice, drafts deeds or wills for another, or solicits or procures for himself or another, the management or control of any such claim, or authority to adjust or bring suit to recover for the same, or solicits for himself or another from a person accused of crime or his representative the right to defend the accused person, shall for a first offense be fined not more than one hundred dollars or imprisoned for not more than six months and for a subsequent offense shall be fined not more than five hundred dollars or imprisoned for not more than one year.

4 Jurisdiction. Amend RSA 311:12 by striking out in lines two and three the words and numerals "sections 9 or 11," and inserting in place thereof the words, this chapter, so that said section as amended shall read as follows: 311:12 Restraint of Violations. The supreme and superior courts shall have concurrent jurisdiction in equity to restrain violations of this chapter on proceedings brought by any bar association within the state, by the attorney-general, or by three or more attorneys admitted to practice in the state.

5 Takes Effect. This act shall take effect sixty days after its passage.

On motion of Senator Buchanan, the rules were suspended and the order whereby the above entitled bill was referred to Judiciary was vacated, and the bill was referred to the Judicial Council.

Committee Reports

Senator Green, for the Committee on Military & Veterans Affairs;

HB 376, to extend service exemption from taxation to certain totally disabled servicemen. Ought to pass.

Senator Green: "Mr. President, any serviceman who shall be honorably discharged from military service of the United States and who shall be totally and permanently disabled from service connection and who has satisfactory proof of such service connection to furnish to the assessors and who is a double amputee or paraplegic as a result of service connection and who owns a specially adapted homestead which has been acquired with the assistance of the Veterans Administration shall be exempt from all taxation on said homestead. There are at present about 6 cases of this kind. The Committee recommends that the bill ought to pass."

The bill was ordered to a third reading.

Senator Green, for the Committee on Military & Veterans Affairs:

HB 751, relative to state flags.

Ought to pass.

Senator Green: "Mr. President, this bill was amended in the House in order to take effect upon passage. Any state flag that has been presented to any group or organization on behalf of the state of New Hampshire — and if found to be improperly used and not properly taken care of — if found guilty, is subject to fine and imprisonment."

Senator English: "There has been considerable controversy in the past as to just what the regulations are as to the state flag. I would hope that we might have this information. Also, the fact that someone does not like it because you put it in a corner, or was not to their satisfaction. There should be some formal display of the state flag. I would hope that there might be some legislation, etc., as to how this should be done.

Senator Green stated that she should get some clarification on the matter.

(discussion ensued)

On motion of Senator Waterhouse, the above entitled bill was laid on the table.

Introduction of Guests

The Chair: "I would state that seldom do we have the occasion where we have Miss New Hampshire and also a distinguished statesman who served in the House, as its Speaker, as the President of the Senate, and as Governor of the State of New Hampshire, it is my great pleasure to introduce Lane Dwinell of Lebanon."

As the guests of Senator O'Gara, Mr. Paul Geary and Mr. Donald O'Connell, both from Dover.

Committee Reports (continued)

Senator Green, for the Committee on Military & Veterans Affairs:

HB 414, to commemorate with appropriate ceremony the 25th anniversary of the call and departure of members of the National Guard into World War II. Ought to pass.

Senator Green: "Mr. President, this bill provides that an interim committee composed of five members shall be appointed by the Governor. The original bill called for an appropriation, but this was taken out by a House amendment. The bill was also amended in the House to make it effective upon passage, in order to tie in with the Bicentennial celebration in Concord."

The bill was ordered to a third reading.

Senator Provost, for the Special Committee, consisting of the Manchester Delegation:

HB 604, to increase the membership of the Manchester board of health. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

AN ACT

to increase the membership of the Manchester board of health, fire and highway.

Amend the bill by inserting the following new sections:

3 Manchester Fire Commissioners. Amend section 2 of chapter 330, Laws of 1917, by striking out said section and inserting in place thereof the following: Sect. 2. On July 1, 1965, the mayor, with the approval of the board of aldermen, shall appoint five citizens of Manchester to be known as fire commissioners, two of whom shall be appointed for a term of three years each, two of whom shall be appointed for a term of two years each, and one of whom shall be appointed for a term of one year, each term to begin July 1, 1965. In the month of July in every year thereafter, the mayor, with the approval of the board of aldermen, shall appoint commissioners to fill the terms then expiring each for a term of three years from the first day of July following, and until his successor is appointed and qualified. Said commissioners shall organize by choosing one of their members chairman and one other clerk. The clerk shall receive in full for all services performed the sum of one hundred fifty dollars per year and each of the others the sum of one hundred dollars per year. Meetings of said commissioners shall be held upon call of the chairman or mayor or upon such dates as the commissioners may designate.

4 Present Board Abolished. The term of office of the members of the board of fire commissioners of the city of Manchester in office at the time this act takes effect shall expire as of July 1, 1965 and the present board of fire commissioners shall be abolished as of said date.

5 City of Manchester Highway Commissioners. Amend Laws of 1921, chapter 273, section 2 by striking out said section and inserting in place thereof the following: Sect. 2. A department of highways for the city of Manchester is hereby established. On July 1, 1965, the board of aldermen shall appoint five citizens of Manchester who shall be commissioners of highways, two of whom shall be appointed for a term of one year, each, two of whom shall be appointed for a term of two years each, and one of whom shall be appointed for a term of three years. Thereafter as the term of office of a commissioner shall expire, a commissioner shall be appointed for a three year term. Vacancies shall be filled for the unexpired term. Said commissioners shall be paid a salary of two hundred dollars per year in full for all services rendered except the chairman who shall be paid a salary of two hundred fifty dollars per year in full for

all services rendered. No member of the board of mayor and aldermen shall be appointed to the board of commissioners.

6 Present Board Abolished. The term of office of the board of highway commissioners in office at the time this act takes effect shall expire as of the effective date of the appointment of the board authorized by this act and the said present board of highway commissioners shall be abolished as of said date.

Further amend the bill by striking out the original section 3 and inserting in place thereof the following:

7 Takes Effect. This act shall take effect upon passage.

On motion of Senator Martel, the reading of the amendment was dispensed with.

On motion of Senator Martel, the above entitled bill and accompanying report was laid on the table.

Senator Provost, for the Special Committee, consisting of the Manchester Delegation: HB 102, establishing a finance commission for the city of Manchester. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Supervision over Expenditures. The finance committee of the board of mayor and aldermen shall have general supervision and control over the expenditure of all money appropriated by said city and shall make such rules and regulations to govern purchases, sales, payments, fixing of salaries and wages, the letting of contracts by all city departments, committees, boards, trustees, officials or agents as they may deem necessary to insure economy and efficiency.

2 Takes Effect. This act shall take effect upon its passage.

Senator Provost: "Mr. President, the amendment strikes out the whole bill and it gives the Aldermen or the Finance Committee to legalize their action in committee. That is all it does."

At the request of Senator Martel, the Chair declared a one minute Recess.

(Recess)

The Senate re-assembled.

Senator Martel: "Mr. President, I reluctantly stand in opposition to the pending Committee Report as amended because it is only half of that which my colleague from District No. 16 would go along. Last Monday in the City Hall in Manchester, at which we were told by most of those who attended, that they were opposed to having a referendum conducted to put on the statutes of the city of Manchester for a Finance Commission appointed by the Mayor and Aldermen who would not be directly responsible to the people and I agree with that. In the meantime, Senator Green and Senator Provost got together and we decided that we would offer an amendment by striking out all after the enacting clause and would submit the amendment that the Senate now has before it. However, it is only half of that amendment and I would respectfully urge my colleagues to vote the present amendment down and if you do that, I will immediately on behalf of Senator Green, and I would ask Senator Provost to join with us and go along. The amendment would contain the first portion of the amendment already offered by the Committee and we would add these words: The Finance Commission and the Board of Mayor and Aldermen shall have general supervision . . . We would add the following: As a further aid to the protection . . . may appoint three Manchester residents who would serve without remuneration who are not otherwise members of the City government or engaged in business with the city. This Finance Commission problem relating to Manchester has been a political football that has been tossed around off and on for 20 years or so. When I first came to the House over there, we were concerned with it and we are still concerned with it. Some people — they do not wish to face the responsibility and I say that it is high time that any elected official be made directly responsible to the people for their action. I have gone along over the years with referendums. There is a limitation to referendums, particularly when one has had it. We don't want to play with that football any longer. I would appreciate the defeat of this report as amended. I will then offer this amendment. It will be that much better for the city of Manchester. If we adopt this amendment, it will be in the best interest of all the people of the city of Manchester. I urge my colleagues to defeat this and then I will offer my amendment."

Senator Provost: "Mr. President, I wish to speak against the motion of Senator Martel. He says that Senator Green also will back him up on that motion. I don't know, but Senator Green says she won't. My amendment is the same as his, only the second part which provides that the Mayor and Aldermen from Manchester are present. There is no need for this. I am against the amendment offered by Senator Martel."

Question being on adoption of amendment offered by the Committee.

On this question, Senator Martel requested a Division.

Eleven Senators having voted in the affirmative, and five Senators having voted in the negative, the affirmative prevailed, and the amendment was adopted.

Senator Martel offered the following amendment to the amendment:

As a further aid to the prudent administration of municipal affairs, the Board of Mayor and Aldermen may appoint a Finance Advisory Commission composed of three Manchester residents who would serve without remuneration, who are not otherwise members of the city government nor engaged in business with the city and who, by virtue of their experience, judgment, character and temperament, would be apt to serve the city well as advisors to the Board of Mayor and Aldermen or to its Finance Committee on such financial matters as may be referred to them for investigation, consideration and recommendation.

Senator Martel spoke in support of the amendment to the amendment.

Senator Provost spoke in opposition to the amendment to the amendment.

Senator Green spoke against the amendment.

Senator Provost inquired: "Do you oppose Senator Martel's motion?"

Senator Green: "Yes."

Question being on adoption for amendment to the amendment offered by Senator Martel.

Senator Martel requested a Division.

Four Senator having voted in the affirmative, and twelve Senators having voted in the negative, the negative prevailed, and the amendment was lost.

The bill as amended was ordered to a third reading.

On motion of Senator Martel, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Special Committee, consisting of the Manchester Delegation: HB 747, relative to the charter of the city of Manchester. Ought to pass with amendment.

Amend the bill by inserting after section 28 the following new section:

29 Superintendent of Parks and Superintendent of Recreation. The superintendent of parks and playgrounds and the superintendent of recreation in office on the effective date of this act shall continue in office until the expiration of their respective terms or until they retire whichever is first.

Further amend the bill by renumbering section 29 to read section 30.

Senator Martel: "Mr. President, on this, we are in accord. It is an amendment that has been proposed."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Green, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Green, for the Committee on Military & Veterans Affairs: HB 293, to make available appropriate non-judicial punishment to members of the New Hampshire National Guard. Ought to pass.

Senator Green: "Mr. President, this bill amends the N. H. Military Law statute in order to strengthen the military justice system of the Army and Air National Guard and bring it more

in line with the military justice system of the regular Armed Forces. The bill provides a means of disposing of minor offenses without resorting to court-martial. This means that the offender will not have a criminal record for committing a minor offense. The present statute, which calls for merely admonition and reprimand, will be amended to provide a maximum fine of \$15.00. Under the present law, such minor cases are handled by Summary Court-Martial which results in a criminal record for the offender."

The bill was ordered to a third reading.

Special Order of Business at 11:01

Senator Saggiotes called for the Special Order.

It being: Consideration of Committee Report; Inexpedient to Legislate on the following entitled bill:

SB 96, relating to compensation for total disability. On motion of Senator Saggiotes, the above entitled bill and report was withdrawn and the bill was recommitted to the Committee on Labor.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Banks, Insurance & Claims:

HB 602, relating to the sale of insurance. Ought to pass.

Senator Buchanan: "Mr. President, this is the bill which was the subject of a column written in a local newspaper by a prominent columnist last week at which time, he roundly criticized the Legislature and the Insurance Company in the House for its action in bringing out this bill."

Senator Tufts presiding.

Senator Buchanan continued: "Now, it is not my position to tell the Insurance Committee in the House what to do—they can take care of themselves. We all know that you don't win an argument with a newspaper—it goes to press too often. In order

to bring this legislation before this Legislature, it was necessary to find a bill relating to insurance. HB 602 is the proper type. There is no question about this. There was no subterfuge on this bill when it was brought before the House Insurance Committee. This was a published joint hearing and the Senate Insurance Committee was represented by the Chairman and at least one other member of our full committee. The mere fact that the amendment offered differed in substance from the original bill is something that takes place. In any event, the House Insurance Committee passed this amended bill unanimously, recommended it with an ought to pass recommendation to the other body, in which body, we found no opposition. It was our intention to introduce it into this body last week with a similar recommendation. Such recommendation was withdrawn at the request of certain interested proponents to the bill. This morning, at the request of these people, the Senate Insurance Company met and heard opponents and proponents. You have heard the recommendation of the committee and it is believed that this is good legislation, that it should be passed and would be signed by His Excellency. I would point out to my colleagues in the Senate that insurance is not like most other commodities. Insurance enjoys or suffers—it is a quasi public utility the same as our banks and public utilities. I have been in the insurance business for the past 20 years. As many of my colleagues will realize, the insurance industry requires close supervision. We are not without charlatans any more than in any other business. Now, this bill will allow the sale of insurance and the collection of premiums by credit card.

“Now if you don’t think I am in favor of credit cards, I am about to read off the list of credit cards that I hold: Bell Tel., U.S. Army; Esso; AAA; Philip 66 gas; American Express; Socony-Mobile, etc. Now, you cannot say that I am opposed to credit cards but I am opposed to credit cards selling insurance and this is the crux of this bill. If his bill is passed—earlier in this session, we defeated a bill sponsored by Senator Lamontagne, relative to mechanical dentistry because it was not in the best interests of our people. Neither is the sale of insurance through credit cards. You do not buy insurance on a do-it-yourself basis any more than you do in the case of other services. The sale of insurance today requires study and training. The man who pumps your gas is fine. You can trust the care of your car to the man, but I am sure that you would not

want to trust your insurance needs to him. The committee report is unanimous. We are in favor of the passage of this bill. It is good for the people of the state of New Hampshire."

(Discussion ensued)

The bill was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Banks, Insurance & Claims: HB 587, to provide for the safe construction, installation, inspection, operation, maintenance and repair of boilers. Ought to pass.

Senator Buchanan: "Mr. President, this is a somewhat non-controversial bill introduced by Mrs. Davis in the House for the setting up of rules and regulations and supervision of boilers within the state. At the present time, we have no such laws. This appears to be good legislation which will put the construction and supervision of boilers on the basis where it can be administered by the state of New Hampshire. There was no opposition and it is a unanimous committee report. There is no appropriation involved."

The bill was ordered to a third reading.

On motion of Senator Johnson, the Senate recessed for one hour.

(Recess)

The Senate re-assembled.

House Message

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following entitled House Bills, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 653, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1966.

Amend the bill by striking out in the footnote bearing an asterisk after the appropriation for the division of parks in the department of resources and economic development the figure "\$490,660" and inserting in place thereof the figure, \$555,660.

The Senate voted to concur.

HB 654, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1967.

Amend the bill by striking out in the footnote bearing an asterisk after the appropriation for the division of parks in the department of resources and economic development the figure \$827,942" and inserting in place thereof the figure, \$794,942.

The Senate voted to concur.

Committee Reports

Senator Johnson, for the Committee on Agriculture:

HB 90, relative to the department of agriculture and to the agricultural advisory board. Ought to pass.

Senator Johnson: "Mr. President, this bill does two things. The original statutes stated that the department of agriculture must be located in the State House. Since they have been vacated from the State House, this makes it legal and says that they must be located in any state owned building. The second thing that the bill does has to do with the State advisory board which sets the policy of this body. This bill has the support of all the persons involved in this bill."

The bill was ordered to a third reading.

Senator Johnson, for the Committee on Agriculture:

HB 412, relative to fees for inspection of weights and measures. Ought to pass.

Senator Johnson: "Mr. President, this bill has the effect of increasing the fees which are charged in the inspection of weights and measures. The fees are just about doubled and all those at the hearing were in favor."

The bill was ordered to a third reading.

On motion of Senator Saggiotes, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Saggiotes, for the Committee on Labor:

HB 345, relative to a finding of disability or death of municipal firemen due to heart and lung disease, in workmen's compensation proceedings. Recommend that the bill be referred to the Legislative Council.

Senator Saggiotes: "Mr. President, this bill is a bill regarding legislation whereby a fireman who becomes disabled due to injury or heart or lung disease due to the fighting of a fire he would automatically come under the Workmen's Compensation of the particular municipality in which the fire department that he is working under. There were a number of questions that arouse in this matter, one of these being would the person receive better benefits if he were a call fireman. There is also a question as to whether he would receive better benefits if he were a regular rather than a call fireman. With this in mind and the fact that this is not an agreed bill between Labor and Management, it was decided to refer it to the Legislative Council and ask that they report back to the 1967 session of the Legislature."

The recommendation of the Committee was adopted.

Special Order of Business for 11:02

Senator Gove called for the Special Order.

It being: Consideration of HB 404, relating to district and municipal court.

Senator Gove moved reconsideration of the vote whereby the amendment was adopted to the above entitled bill and urged the Senate to vote yes.

Senator Lamprey: Senator Gove has asked for reconsideration. That is the question before the Senate. The Chair recognizes the Senator from the 15th District.

Senator Rinden: I would like to be heard on the issue. This reconsideration is in connection with the amendment. First of

all to clear the air, this bill and the amendment have received all of the customary procedures. It was published in the Journal, the committee hearing was published. The bill was heard. The issue here excluding Concord was raised at the committee hearing and the amendment was adopted by the committee. I took the amendment up with the Judicial Council's representative, Rae Laraba, after the committee adopted it. He was fully apprised of it. There has been no objection from that source. The amendment was published in the Journal. It was explained on the floor. The committee report was published in the Journal. Mr. President, contrary to the charges made by Senator Gove yesterday, there has been nothing lacking in parliamentary safeguards. I would like to discuss the merits of the amendment. We have in our district court concurrent jurisdiction with the Superior Court involving cases of less than \$500. If you have a civil case involving \$500 or less, you can bring it into Superior or district court. This bill changes that situation for four districts—Manchester, Nashua, Concord, and Keene. I objected to including Concord in this. I have asked to have Concord treated the same as the rest of the state and not singled out for this exclusive jurisdiction. My reason for that is simply that there is no appeal in these cases, so that if you bring your case into district court, you are stuck with whatever award may be made and you have no right to go into Superior Court. The only right of appeal is on issues of law. It was felt for that reason that a person should be able to choose his forum. Now this district court jurisdiction is basically a good one. Sooner or later, we will have something similar to Massachusetts where the district courts will take a great burden off the Superior courts. I wish to caution you that up to this point, however, district and municipal courts have been primarily dealing with criminal cases—routine police matters such as speeding tickets, right of way, that type of thing. They have not had experience in civil matters. You say that a case of \$500 is not really important. I say these cases are just as complex as the issues in cases involving far greater amounts of money. For that reason, it is important that established procedures be adopted. It is important that the mechanics and the procedures be available for a quick dispensation of justice. It would not be efficient to expose these courts all of a sudden to civil matters. For that reason, I would like to have the transition made a gradual one. I would like to have the Concord court continue in its joint jurisdiction and not force all cases under

\$500 into the district courts at this time. I am not precluding a development in the district court system that will finally permit this jurisdiction in the district court, but until these courts are prepared to deal with this civil jurisdiction, until they develop the procedures and techniques to do it, I am opposed to forcing all of these cases into the district courts. They are just not ready, and we will have a lot of delay and unnecessary holding up of the wheels of justice. I think this is particularly important because on the one hand we are denying the right of appeal in our district court pattern on issues of fact and at the same time, we are forcing all of these cases into the district court without the opportunity of bringing them into the Superior Court. This, Mr. President, is my reason for asking that Concord be excepted from the jurisdiction portion of this bill. I don't know the situation in Manchester, Nashua, or Keene. I do know they have a full time judge in Manchester and maybe it has been worked out to be feasible. I do know the situation in Concord and for that reason, I believe we should go a little bit slower at this time. I would like to urge that the Senate oppose any reconsideration of the bill and this amendment in particular because for these well-considered reasons, the committee voted for the amendment.

Senator Gove: Would the Senator yield to a question? Senator, do you believe that your explanation of this bill yesterday morning was lucid and clear?

Senator Rinden: As clear and lucid as necessary. I expect that if I had more time to devote to getting all the technical points down, I could give you a better explanation. It is as clear as we have time for at this stage.

Senator Gove: Did you mention in your explanation that Concord was excluded?

Senator Rinden: That was made clear in the amendment which was in the Journal. It was made as clear as the English language could make it. It was brought up at the hearing and discussed in executive session. This was very clearly brought out and if the Senator missed it, I am very sorry but it was not because of any fault in publishing the matter.

Senator Gove: Am I correct in saying that the amendment was printed in the Journal along with the bill and it merely left out Concord?

Senator Rinden: It made it very clear that it took out Concord. If you read the Journal, you would know exactly what it did.

Senator Gove: Did it say that in so many words?

Senator Rinden: Yes, it certainly did.

Senator Lamontagne: " I didn't realize that Concord had been taken out in the amendment. I would like to ask why Concord should be different."

Senator Gove: I rise in support of the motion to reconsider. Mr. President, one of the original purposes of this excellent bill was to give four of our larger district courts *exclusive* jurisdiction of most claims not exceeding \$500. When we originally voted to put this bill in amended form on third reading, I, as a non-lawyer, did not realize that the amendment removed the Concord District Court from the selected four and left Manchester, Nashua, and Keene in the bill. Attorneys in my area I now find vigorously object to this. Now, Mr. President, my objection to Senator Rinden's amendment, beyond the fact that he chose not to inform the Senate of its import, rises from the fact that Concord is blessed with an extremely capable justice and associate justice in its district court. The attorneys with whom I have consulted want to try their small claims in the District Court and thereby get the benefit of speedy and less expensive relief. It may be argued that under the bill, the attorney has the choice of either the district or superior court. However, the choice lies alone with the man who brings the suit. The common man, whose house may be attached or whose wages may be attached, would far more prefer the speedy relief of the district court rather than have to wait up to 18 months to be reached on a crowded Superior Court calendar. Let me make it crystal clear that I would rather go along with the amendment than lose the entire bill with its many progressive clauses. However, I fail to see any logical reason for not passing the bill in the form suggested by the Judicial Council which had far more time to study the subject than do we in these closing hours. This is a good bill for Keene, it is a good bill for Nashua, it is a good bill for Manchester, and without amendment, it is a good bill for Concord.

Mr. President, today on my desk I received a communication from Mr. Laraba asking me to go up to his office. Mr. La-

raba was somewhat disturbed at what appeared in the Journal. He wanted me to make it clear to the members of the Senate that he was for this bill as written by the Judicial Council. He wanted me to say, Mr. President, that whereas Senator Rinden had approached him on this, he had told Senator Rinden that it was his prerogative as chairman of the Judiciary Committee to put in any amendment he wanted to. Mr. Laraba said he didn't subscribe to this and wanted the bill passed as submitted by the Judicial Council. The Judicial Council spent time studying this. Mr. President, the lawyers of the City of Concord are up in arms. Many came in here today. I hope that the Senate will reconsider.

Senator Buchanan: Perhaps it is improper for one who lives some distance from Concord to come into the situation, but it would seem to me that what is sauce for the Manchester goose is sauce for the Concord gander. I would say further that an unfortunate by-product of this amendment would seem to be its being directed at the Justice and Associate Justice. The Justice is a former President of this body. He is a former member of the Governor's Council. I became well acquainted with this gentleman. I have a high regard for his opinion and his fairness. The Associate Justice has been a personal friend for years of long standing and without going into any further details, I think anything of this sort which appears to be directed at individuals is not good legislation and I would support the motion to reconsider.

Senator Rinden: Mr. President, there was nothing in my remarks directed at the Judge or the Assistant Judge. They simply have not had sufficient experience in civil matters to have this burden put on the court. I agree with you that we have very competent judges in Concord but that doesn't mean they have had the experience to handle this. I also, in connection with Senator Gove's statement that we should let people have a choice and let them go into district court or Superior Court according to their preference, would say that that is exactly what this amendment provides. By defeating the amendment, it would be taking the choice away from the people. I say that if the arguments presented are valid there should be no concern about leaving the other forum open. If you think everything is going into district courts anyway, why do you object? If the argument presented is valid, then my position is sustained. You say "why

single out Concord?" I haven't done this. The bill itself does this. The bill singles out four courts. Out of 10, 4 have been singled out. I am asking that the City of Concord be considered the same as the rest of the state. If they want to have this jurisdiction in Manchester, fine. I am asking that Concord be continued along the lines and that it be treated the same as the rest of the state.

Senator Tufts: Would the Senator yield to a question? Senator Rinden, is it true that sometimes the question of getting the matter on the Superior Court docket does take a long time?

Senator Rinden: Even these small cases can be disposed of much more rapidly in Superior Court. In the Superior Court, you have a professional full-time judge whereas in district court you have a part-time judge, most of whose time is taken up with criminal matters. The professional judge can dispose of things more quickly. If there are litigants who want to go into district court, that is their privilege. They already have it. I just am saying we shouldn't force anyone.

Senator Tufts: Would you tell us why evidence has been presented that it might take up to 18 months?

Senator Rinden: As a matter of fact, when you bring a case, you can get it on the docket the following month and then you have to wait for a trial. To answer you directly, you can get on the docket in about two months.

Senator Gove: I would point out that I have been in contact with a large number of lawyers. Mr. President, the Judicial Council worked on this bill and gave it great study and a great deal of time and came in with this bill. It seems to serve the purposes of the Bar, of all the lawyers in Concord except for one member and again I urge its passage.

Senator Lamontagne: "I didn't realize that Concord had been taken out in the amendment. I would like to ask why Concord should be different.

Senator Rinden: "I don't think Concord should be different. That is why I am asking that we be taken out. They singled out just four district courts. That is not even a majority of the cities. I am asking that Concord not be singled out but that Concord be treated the same as the rest of the

state. I am trying to keep Concord the same as the rest of the state."

Senator Lamprey: "The question is on the motion to reconsider the adoption of the amendment. Reconsideration lays."

Senator Gove: "I move that the amendment be stricken from the bill."

On a *viva voce* vote, the motion carried and the amendment was stricken from the record.

The bill was ordered to a third reading.

On motion of Senator Saggiotes, the rules were suspended, to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Saggiotes, for the Committee on Labor: HB 716, relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation. Ought to pass with amendment.

Amend the bill by striking out section 2.

Further amend the bill by renumbering section 3 to read section 2.

Senator Saggiotes: "Mr. President, House Bill No. 716 is an enabling act that would authorize the participation by the State of New Hampshire, through the Department of Employment Security, in certain matters relating to the United States Trade Expansion Act of 1962.

"The President of the United States has just caused a bill to be entered in Congress (H.R. 6960) known as the Automotive Products Trade Act of 1965, which would make the adjustment assistance benefits provided by Title III of the Trade Expansion Act available to certain workers in the automotive industry.

"If individuals are put out of work by reason of actions taken under the Automotive Act, the Trade Expansion Act of 1962 would permit the payment of trade readjustment allowances, relocation allowances, subsistence payments and

transportation payments to the affected individuals. These would be Federal monies paid under Federal terms through the State Employment Security Department if House Bill No. 716 were enacted."

Senator Martel: "Mr. President, I am happy to associate myself with the Chairman of our Committee on this matter. This Senate, last week, referred to the Advisory Council a bill which was relating to unemployment compensation of pregnant women. But now being dissatisfied with what we did with it, they have tacked this on to HB 716. It has been referred to the proper agency and I hope the Senate will go along with the amendment as suggested by the Committee and support the bill as it is."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Saggiotes, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Saggiotes, for the Committee on Labor:

HB 795, to amend the workmen's compensation law. Ought to pass.

Senator Saggiotes: "Mr. President. HB 795 is the bill that comes in every session of the Legislature which amends the workmen's compensation law. I will hit on a few of the high lights of this particular bill:

1. It reduces the number of persons employed by an employer from 3 to 2.
2. Increases the maximum benefit for death of an insured employer from the present \$15,000 to a maximum of \$17,050 not exceeding a period of 341 weeks.
3. It allows for up to \$500 for burial expense for a person leaving any dependents.
4. It increases the weekly benefits from \$45 to \$50. This is an agreed bill. Both Labor and Management are in agreement.

The Labor Committee of the Senate urges the passage of this bill."

The bill was ordered to a third reading.

On motion of Senator Saggiotes, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Saggiotes, for the Committee on Labor:

HB 484, minimum wages of employees in public works. Ought to pass.

Senator Martel: "Mr. President, I stand in support of the Committee Report. This is as the House amended the bill last Friday. In its original form, there was an opportunity for Management and Labor to get together and discuss this bill. They did get together. This refers to what was formerly the minimum wage law. This gives the authority to the Labor Commissioner that these rates shall be paid. It obligates the employer to keep an accurate record of the names and addresses and the wages paid to their employees. We found in the last session, when we were privileged to add one additional employee — that many were not paying these rates I believe that the enactment of this law is certainly in the best interests of the people of our state."

The bill was ordered to a third reading.

House Message

The House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 115, to improve the administration of the department of resources and economic development.

On motion of Senator Johnson, reading of the amendment was dispensed with.

Senator Johnson: "Mr. President, this does two things to the bill as it passed the Senate. It places a member of labor on the

advisory commission. At the present time, there are 5 members; one is taken off and a representative of labor has been put on. The second part of the amendment simply sets terms of office for each of the individuals who will hold the job of a division director. Under the bill, as passed by the Senate, these persons had a term of office that was indefinite. In the House, it was felt that these individuals should now be held to a definite length of time—locked in—and they are given a term of office. These changes are admirable. I urge the Senate to go along with them.”

On motion of Senator Johnson, the Senate voted to concur.

Senator Martel: “Mr. President, I sincerely concur with my colleagues in the amendment whereby labor will now be represented. As far as voting for the rest of the content of this bill at this time, not having had the opportunity to read the amendment, I cannot in all honesty do so. Therefore, I would reserve my vote on it and will not vote either for or against it. Even if I had the hour needed to read it, it would not be time enough to understand the amendment that has been put on from the House. So I will not take a stand on the bill at the present time.”

Senator Foley wished to be recorded as voting no.

Committee of Conference Report

The Committee of Conference to whom was referred HB 267, relative to building and loan associations, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence in adopting the Senate amendment to section 1, and concur in the adoption of the Senate amendment, and that the House and Senate concur in the adoption of the following amendment and the passage of the bill:

Amend the bill by inserting after section 7 the following new section:

8 Community Benefit. Amend RSA 399-A:14 (supp) as inserted by 1961, 245:1 by inserting in line eighteen before the word “he” the words, and that (c) allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be

conducted, so that said section as amended shall read as follows: 399-A:14 Investigation of Application; License Requirements. Upon the filing of such application and the payment of such fees, the commissioner shall send a notice of the pending application to all licensees in the community in which the applicant proposes to do business and he shall investigate the facts concerning the application. Every licensee so notified shall have ten days after the date of notification to file a notice of objection to the granting of such applicant. Within ten days thereafter the objecting licensee shall file a statement, supporting his objection. Failure to file such statement within such period of time shall be deemed withdrawal of such objection. If the commissioner shall find that (a) the financial responsibility, experience, character and general fitness of the applicant are such as to command the confidence of the public and to warrant the belief that the business will be operated lawfully, honestly and fairly within the purposes of this chapter; and that (b) the applicant has available for use in such business at the location specified in the application at least twenty-five thousand dollars, or, in the case of the licensee, has such amount available or actually invested in loans made under this chapter; and that (c) allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted he shall enter an order approving such application and deliver a license to the applicant. If the commissioner shall not so find, he shall enter an order denying such application and forthwith notify the applicant of the denial, returning the license fee.

Further amend by renumbering section 8 to read section 9.

On motion of Senator Buchanan, the reading of the Report was dispensed with.

On motion of Senator Buchanan, The Senate voted to adopt the report of Committee of Conference.

Senator O'Gara offered the following Resolution:

Resolution

commending

PAUL G. KARKAVELAS

Whereas, The Honorable Paul G. Karkavelas of Dover, duly elected Senator from the 21st District, resigned his seat in the senate due to circumstances beyond his control, and

Whereas, He has served his city, county, state and nation in many public offices such as City Councilman, Acting Mayor, Member of Zoning Board and Chairman of Republican City Committee of Dover, Chairman of Strafford County Republican Committee, Member of the Republican State Committee, United States Department of Justice, Member of the Legislature for several sessions, both in the Senate and House of Representatives, and

Whereas, His service, advice and assistance, all cheerfully given, have been of inestimable value to all concerned, and his gracious disposition and friendliness have endeared him to all with whom he came in contact, therefore be it

Resolved, That we, the Members of the Senate of the 1965 session of the General Court of New Hampshire, hereby pay tribute to our former fellow Member for his services to his fellow Senators and to his city, county, state and nation, and commend him for his invaluable assistance at all times, and be it further

Resolved, That a copy of these Resolutions be transmitted to the Honorable Paul G. Karkavelas with our very best wishes for his continued success and happiness.

The Resolution was adopted.

Senator English presiding.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance: SB 79, relative to grants in aid to cities and towns in lieu of taxes on state property. Ought to pass.

Senator Lamprey: "Mr. President, this is the bill that was previously advertised by Senator Rinden and it has a \$20,000 appropriation in order to make the necessary evaluation of appraisals for state owned property. The merits of this act were debated previously."

The bill was ordered to a third reading.

On motion of Senator Provost, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance: HB 416, providing adequate representation for indigent defendants in criminal cases. Ought to pass with amendment.

Amend the bill by striking out section "2" and inserting in place thereof the following:

2 Appropriation. There are hereby appropriated to the department of administration and control the sum of fifty thousand dollars for the fiscal year ending June 30, 1966, and a like sum for the fiscal year ending June 30, 1967, to be expended at the direction of the courts of the state in payment of compensation and reimbursement of counsel and for services rendered and expenses incurred while representing indigent defendants in proceedings before courts of the state as provided by RSA 604-A, as hereinbefore inserted. The appropriations made hereunder shall be a continuing appropriation and shall not lapse.

Senator Lamprey: "Mr. President, this is the result of a supreme court decision which has been declared to provide adequate representation for indigent defendants in criminal cases. Therefore, it becomes mandatory upon the state of New Hampshire to give some adequate figure for the defense of these individuals. The Finance Committee reduced the amount from \$130,000 to \$100,00 — \$50,000 for each year of the biennium."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously published in the Journal.

Committee Report

Senator Provost, for the Committee on Finance: HB 264, to authorize payment of twenty thousand dollars as state's con-

tribution to costs of modification and maintenance of New England Exhibit of World's Fair. Ought to pass.

Senator Lamprey: "Mr. President, this is the amount which, as I understand it, has been guaranteed to continue this project at the World's Fair. It was my understanding that there would not be any asked for, but as usual in many cases — if you are going to continue the program, it is going to cost \$20,000."

Senator Martel inquired: "Is it not so that when we first met during the last session in the Governor's Chamber, both legislative members talked about this and we were in agreement on the original amount? The reason that I ask the question is simply to bring out this information to the public, not to my colleagues because I think I have seen in a paper last weekend where it criticized the administration for the stand that we took. I just wish it to show that we were in agreement about this amount."

Senator Lamprey: "It is so that we agreed on the original amount, but that was to the full amount and this \$20,000 agreement was reached without any legislative consideration whatsoever."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of Committee Report, not previously advertised in the Journal.

Senator Provost, for the Committee on Finance:

SB 119, relative to compensation for a federal customs officer at Berlin municipal airport. Ought to pass.

Senator Lamprey: "Mr. President, this will allow for a customs officer at the Berlin municipal airport until this official may be picked up by the federal funds which the sponsor feels will be forthcoming, in order that we may have an airline from Sherbrook to Berlin. I yield to Senator Lamontagne."

Senator Lamontagne: "Mr. President, I certainly want to thank Senator Lamprey as I have just given the information to the President of the Senate that on the 22nd of July, this new airline will be operating. It is already assured by both Canada and America."

The bill was ordered to a third reading.

On motion of Senator Blaisdell, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Blaisdell, for the Committee on Fisheries & Game:

HB 121, relating to the bounty on bobcats. Ought to pass.

Senator Blaisdell: "Mr. President, this bill reduces the bounty to \$15 and also removes the bounty on lynx and wolves."

The bill was ordered to a third reading.

On motion of Senator Blaisdell, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Blaisdell, for the Committee on Fisheries & Game:

HB 159, authorizing taking deer on islands by fish and game director and extending his powers. Ought to pass.

Senator Blaisdell: "Mr. President, this bill does exactly what it says. Also, in extending the powers—he can extend any season on fish and game and game birds when the season was curtailed because of fire hazard, etc. He may extend the number of days that were lost."

The bill was ordered to a third reading.

On motion of Senator Blaisdell, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Blaisdell, for the Committee on Fisheries & Game:

HB 285, relating to an additional bounty on porcupines. Ought to pass.

Senator Blaisdell: "Mr. President, this bill raises the bounty by 25 cents."

The bill was ordered to a third reading.

On motion of Senator Blaisdell, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Blaisdell, for the Committee on Fisheries & Game:

HB 327, relative to the taking, sale, possession, and transportation of lobsters and crabs. Ought to pass.

Senator Hunter: "Mr. President, all this does is it adds the word 'lobster' to the ruling on the transportation of crabs and some kind of worms."

The bill was ordered to a third reading.

Resolution

Senator Gardner offered the following Resolution and requested that same be referred to the Legislative Council:

Resolution

concerning so-called bottle clubs.

Whereas, Certain bottle clubs, so-called, have been requesting from the liquor commission and from the general court certain controls and licenses, and

Whereas, Such controls and licenses are not permitted under our present statutes, therefore be it

Resolved, That this matter of control and licensing be referred to the legislative council for study and to report its findings and recommendations to the general court of 1967.

On a *viva voce* vote, the above Resolution was adopted and the Resolution was referred to the Legislative Council.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 207, relative to assessors in the city of Rochester. And requests a Committee of Conference; the Speaker has appointed

as members of said Committee of Conference on the part of the House: Representatives Corriveau of Rochester; Dumont of Rochester; and Rolfe of Rochester.

The Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair named Senators Howard and Bergeron as members of said Committee of Conference on the part of the Senate.

The Message further stated that the House has voted to concur with the Senate in its adoption of its amendments to the following entitled bills:

HB 223, to regulate the extension of operators' licenses of members of the armed forces during a war.

HB 432, relating to organization of savings banks.

HB 608, relative to standards for tires on motor vehicles and trailers.

HB 784, relative to procedure for reassessment of taxable property by the tax commission.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 106, providing additional retirement allowances for certain retired teachers.

HB 446, relative to town road aid.

HB 704, establishing the water pollution commission as an independent agency.

HB 615, relative to salary of the Sheriff of Grafton County.

HB 463, increasing the salaries of the county commissioners and treasurer of Carroll County.

SB 80, relative to guaranteed loans to students for higher education.

SB 76, relative to the exemption from tax on neat stock and poultry.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 207, relative to assessors in the city of Rochester, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence with the Senate amendments and that the House and Senate concur in the adopting the following amendment and in the passage of the bill:

Amend section 1 of the bill by striking out the words "occasions when he request them" in the last two lines and inserting in their place the words, special occasions when requested and deemed advisable, so that the section is amended to read:

1 City of Rochester. Amend section 19 of chapter 241 of the laws of 1891 by striking out said section and inserting in place thereof the following:

Section 19. The city council at their first meeting in January 1966 and thereafter in every second year shall appoint a full time assessor of taxes for a term of two years who shall perform all the duties and assume all the responsibilities and liabilities of assessors of taxes. At the same time the council shall appoint two other part time assessors of taxes, one for a term of two years and one for a term of four years, and in every second year thereafter the council shall appoint a part time assessor for a term of four years. The part time assessors, with the full time assessor, shall hear and determine all applications for abatement of taxes. The part time assessors shall assist the full time assessor at other times and upon other special occasions when requested and deemed advisable to do so.

Senator Bergeron, District No. 20
Senator Howard, District No. 7
Conferees on the Part of the Senate

Mr. Corriveau of Rochester
Mr. Dumont of Rochester
Mr. Rolfe of Rochester
Conferees on the Part of the House

On motion of Senator Bergeron, the Senate voted to concur.

On motion of Senator Rinden, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Martin, for the Committee on Judiciary:

HB 739, to established a state commission for human rights. Ought to pass with amendment.

Amend RSA 354-A:1 as inserted by section 1 of the bill by striking out the words "because of" in the tenth and twenty-first lines and inserting in place thereof the words, solely because of age, so that the section is amended to read: 354-A:1 Purposes of Chapter. This chapter shall be known as the "Law Against Discrimination". It shall be deemed an exercise of the police power of the state for the protection of the public welfare, health and peace of the people of this state, and in fulfillment of the provisions of the constitution of this state concerning civil rights; and the general court hereby finds and declares that practice of discrimination against any of its inhabitants solely because of age, race, creed, color or national origin are a matter of state concern, that such discrimination not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the state and its inhabitants. A state agency is hereby created with power to eliminate and prevent discrimination in employment, in places of public accommodation, in housing accommodations solely because of age, race, creed, color or national origin as herein provided: and the commission established hereunder is hereby given general jurisdiction and power for such purposes.

Amend 354-A:2 by striking out the words "because of" in the fourth line and inserting in place thereof the words, solely because of age, so that the section is amended to read:

354-A:2 Opportunity for Employment Without Discrimination, a Civil Right. The opportunity to obtain employment without discrimination solely because of age, race, creed, color or national origin is hereby recognized and declared to be a civil right.

Amend paragraph 8 of 354-A:7 as inserted by section 1 of the bill by striking out the words "because of" in the eighth

line and inserting in place thereof the words, solely because of age, so that the paragraph is amended to read:

8. To create such advisory agencies and conciliation councils, local, regional or state-wide, as in its judgment will aid in effectuating the purpose of this chapter, and the commission may empower them to study the problems of discrimination in all or specific fields of human relationships or in specific instances of discrimination, solely because of age, race, color, religious creed or national origin, in order to foster, through community effort or otherwise, good will, cooperation, and conciliation among the groups and elements of the population of the state, and make recommendation to the commission for the development of policies and procedures in general and in specific instances, and for programs of formal and informal education which the commission may recommend to the appropriate state agency. Such advisory agencies and conciliation councils shall be composed of representative citizens, serving without pay, but with reimbursement for actual and necessary travelling expenses; and the commission may make provision for technical clerical assistance to such agencies and councils and for the expenses of such assistance.

Amend paragraph 9 of 356-A:7 by striking out the words "because of" in the fourth line and inserting in its place the words, solely because of age, so that the paragraph is amended to read:

9. To issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination solely because of age, race, color, religious creed or national origin.

Amend paragraph 1 of 354-A:8 as inserted by section 1 of the bill by striking out the words "because of the" in the first line and inserting in its place the words, solely because of the age, so that the paragraph is amended to read:

1. For an employer, solely because of the age, race, color, religious creed, or national origin of any individual, to refuse to hire or employ or to hire or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment, unless based upon a bona fide occupational qualification.

Amend paragraph 2 of 354-A:8 as inserted by section 1 of the bill by striking out the words "because of the" in the first line and inserting in place thereof the words, solely because of the age, so that the paragraph is amended to read:

2. For a labor organization, solely because of the age, race, color, creed, or national origin of any individual, to exclude from full membership rights or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer, unless based upon a bona fide occupational qualification.

Amend paragraph 3 of 354-A:8 by inserting before the word "race" in the eighth and eleventh lines the word, age, so that the paragraph is amended to read:

3. For any employer or employment agency to print or circulate or to cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry or record in connection with employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to age, race, color, religious creed or national origin, unless based upon a bona fide occupational qualification.

Amend paragraph 4 of 354-A:8 by striking out the words "because of the" in the fourth line and inserting in place thereof the words, solely because of the age, and by inserting before the word "race" in the fifteenth and eighteenth lines, the word, age, so that the paragraph is amended to read:

4. For any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, solely because of the age, race, creed, color or national origin of any person, directly or indirectly, to refuse, withhold from or deny to such person any of the accommodations, advantages, facilities or privileges thereof; or, directly or indirectly, to publish, circulate, issue, display, post or mail any written or printed communication, notice of advertisement, to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of age, race, creed, color or national origin; or that the patronage or custom thereat of any person belonging to or purporting to be of

any particular age, race, creed, color or national origin is unwelcome, objectionable or acceptable, desired or solicited.

Amend subparagraph (a) of paragraph 5. of 354-A:8 as inserted by section 1 of the bill by striking out the words, "because of the" in the fourth line and inserting in their place the words, solely because of the age, so that the subparagraph is amended to read:

(a) to refuse to rent or lease or otherwise to deny to or withhold from any person or group of persons such accommodations solely because of the age, race, creed, color or national origin of such person or persons;

Amend subparagraph (b) of paragraph 5. of 354-A:8 as inserted by section 1 of the bill by striking out the words "because of his" in the second line and inserting in their place the words, solely because of his age, so that the subparagraph is amended to read:

(b) to discriminate against any person solely because of his age, race, creed, color or national origin in the terms, conditions or privileges of such accommodations or in the furnishing of facilities or services in connection therewith; or

Amend subparagraph (c) of paragraph 5. of 354-A:8 as inserted by section 1 of the bill by adding after the words "concerning the" in the third line the word, age, so that the subparagraph is amended to read as follows:

(c) to cause to be made any written or oral inquiry or record concerning the age, race, creed, color or national origin of a person seeking to rent or lease any such accommodation.

Amend 354-A:12 as inserted by section 1 of the bill by striking out the words "because of" in the seventh line and inserting in their place the words, solely because of age, so that section is amended to read as follows:

354-A:12 Construction. The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal any of the provisions of the civil rights law or any other law of this state relating to discrimination solely because of age, race, creed, color or national origin; but, as to acts declared unlawful by section eight of this chapter, the procedure herein

provided shall, while pending, be exclusive and the final determination therein shall exclude any other action, civil or criminal, based on the same grievance of the individual concerned. If such individual institutes any action based on such grievances without resorting to the procedure provided in this chapter, he may not subsequently resort to the procedure herein.

Senator Rinden explained the bill and the amendment.

Senator Riley stated that he believed if the Senate pass this bill with the amendment, the bill will be defeated in the House.

Senator Riley moved that the amendment be removed from the Committee Report.

Senator Lamontagne spoke in favor of having the amendment taken off.

(discussion ensued)

Senator Martel stated that this morning while sitting in at the executive session he felt that there was merit in adding on the amendment, but now stated that he believed if the amendment is adopted, there is good chance that the bill may be lost entirely.

On the question of adoption of the Committee amendment, the Chair was in doubt and requested a Division.

Nine Senators having voted in the affirmative, and ten Senators having voted in the negative, the negative prevailed, and the amendment was not adopted.

The bill was ordered to a third reading.

The Chair recognized Senator Lamprey who stated that he wished to speak on a situation relative to HB 782, the capital budget bill. "During our noon hour, we were trying to hear portions of the capital budget and we will continue to hear the capital budget after the Senate has adjourned or gone into its next recess. I would ask that the following be read into the record. It has to do with the possibility of the Governor vetoing the capital budget unless the supreme court building and the PEP program are included in the capital budget.

Senator Johnson: I will try to summarize what I think we have heard. If there is any misstatement of fact I make, I will ask

John Holland to correct it. It is my understanding the Governor has sent Mr. Holland here to inform us that if the PEP program and if the Supreme Court Building is not passed by this Senate Finance Committee and does not become law eventually, he will then veto the entire Capital Budget. It is my understanding, that one of the other considerations which might lead him to veto the Capital Budget is the passage of a \$2 million bond issue for parks expansion which I further understand carries with it some matching Federal funds. Is that a fair statement, John?

John Holland: It is on the parks program and the PEP program the Governor has indicated that if the Legislature believes that these programs should be reduced in amount somewhat that this is a decision that the Legislature, of course, is required to make and that if they were reduced, that does not mean the Capital Budget would be vetoed.

Sen. Johnson: But there must be something in the Budget for the PEP program or there will be a veto of the entire Capital Budget, is that correct?

Mr. Holland: We discussed these things as a unit really—the program—so that whether the elimination of the PEP program alone without anything happening on the parks program, whether that would result in veto of the Capital Budget, I am not altogether sure.

Sen. Johnson: Suppose we decided that the PEP program were unworthy and the Supreme Court building were unworthy but decided in favor of the parks expansion, would that cause a veto?

Mr. Holland: I believe so.

Senator Lamprey: "It is just the PEP program and the supreme court building that has any controversy within the capital budget. There might be some technical changes that might be necessary. There might be additions or deletions in the University of New Hampshire or the Laconia State School. But are we to be told that if we don't accept what they ask and if we don't bow to their edict, then everything goes. The technical schools, the industrial school, the Laconia State School, the University of New Hampshire programs, Plymouth, Keene. I just cannot understand this type of threat. Quite frankly, I just cannot understand this type of thinking. I just want to inform the Senate that we are again threatened if we do not bow to the

edicts of the Governor, we are threatened with a veto. We will consider the capital budget on its merits. If it is decided that the PEP program is needed, etc. but the capital budget bill will be considered on its merit."

Senator Foley: "Mr. President, under personal privilege. In January when there was difficulty on Senate seating, at the time, I rose and said that I was going to bring in some kind of legislation which I hoped in the future we would not have the type of thing that we had in the first of this session. I found that this could not be done by state law, but by the Constitution. I approached the Counsel and he told me that as soon as practical, he would make sure that my Concurrent Resolution would be brought in. I realize that we have been very busy and that there was much to be done. On Friday, he gave me my Concurrent Resolution and it was referred to Judiciary. I know it is late and that all bills in Judiciary can be brought in under suspension. It was on the Clerk's desk earlier but it is not there now. I wish to have this brought out and acted on this afternoon. If it can pass the Senate and it will then go into the other House. If it is in order, I would ask for suspension of the rules. I know this Concurrent Resolution was heard this morning by Judiciary and now it has been withdrawn. I wish to have it brought to the floor at this time.

Senator Lamprey inquired: "Is it your motion to vacate from committee?"

Question being on motion of Senator Foley to discharge from the Judiciary Committee Concurrent Resolution No. 4.

The Chair stated that a two-thirds vote would be required.

Senator Lamprey: "I would ask a question. When did the Senate receive this Concurrent Resolution?"

Senator Foley: "On Friday."

Senator Lamprey: "And the hearing was today—that is reasonable."

Senator Foley: "It is not that I have not tried. I think it is one of our rights that the Concurrent Resolution at least be brought to the floor."

Senator Lamprey: "I would speak against the premise of discharging a committee at any time."

Senator Foley: "If it was brought out and put on the desk, I cannot understand why it cannot be acted on. It was up there earlier. I saw it."

Senator Martel: "I remember that we acted on this Concurrent Resolution in committee. Did he withdraw the Concurrent Resolution?"

Senator Martel inquired: "Was the Concurrent Resolution on your desk?"

Senator Riley brought it up. The Chairman requested it be withdrawn.

The Chair declared a brief Recess.

(Recess)

The Senate re-assembled.

Senator Foley withdrew her motion.

Senator Lamprey: "Mr. President, I move that we go into a Committee of the Whole to discuss Concurrent Resolution No. 4."

The motion carried.

The Senate resolved itself into a Committee of the Whole.

The President appointed Senator Martin to serve as Chairman of the Committee of the Whole.

(Committee of the Whole)

The Senate in regular session.

Committee of Conference Report

House Bill 667, An Act relative to hearings in enactment of zoning ordinances in towns.

The Committee of Conference to whom was referred

House Bill 667, An Act relative to hearings in enactment zoning ordinances in towns, having considered the same report the same with the following recommendations:

That the House recede from its position of nonconcurrency with the Senate amendment and concur in the adoption of the Senate amendment; and

That the Senate and House adopt the following amendment to said bill:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Towns. Amend RSA 31:63-a by striking out the section and inserting in its place the following: 31:63-a Method of Enactment. Any proposed zoning ordinance shall be submitted to the voters of a town in the following manner.

There shall be at least two public hearings at least fifteen days apart on the regulation or restriction at which parties in interest and citizens shall have an opportunity to be heard. After the first public hearing the planning board shall consider all proposed amendments, and shall vote to accept or reject the amendments prior to the second public hearing. The notice of the second public hearing must contain the amendments accepted by the planning board. At least fifteen days' notice of the time and place of each such public hearing shall be published in a paper of general circulation in the town and a notice thereof shall also be posted in at least three public places in the town. If the town has adopted an official ballot for the election of its officers the following question shall be placed on said official ballot by the town clerk: Shall the zoning ordinance (or amendment) as proposed by the planning board (or zoning commission) be adopted for this town? Copies of the proposed ordinance shall be on file, and copies shall be made available, at the office of the town clerk two weeks prior to the date of the meeting at which action is to be taken and a copy of the proposed ordinance and the proposed zoning map shall be on display to the voters on the day of the meeting.

If such action is to be taken at a meeting other than the one at which officers are to be elected the clerk shall prepare a special ballot containing the question above stated and the meeting shall open not later than noon and shall remain open at least eight hours. If such action is to be taken at a meeting in a town which has not adopted an official ballot the clerk shall likewise prepare a special ballot for the use of voters in voting on the question. If a majority of the voters present and voting on this question shall vote in the affirmative the ordinance, or amendment thereto, shall be declared to have been adopted. Upon the petition of twenty-five voters for an amendment to the zoning ordinance, the planning board shall pro-

ceed with the hearings and submit the amendment to the voters of a town as prescribed in this section. When submitting any question to the voters under this section, the form of the ballot shall be as prescribed by RSA 59:12-a.

Conferees for the Senate
Senator English of District 11
Senator Riley of District 14
Conferees for the House

Mr. Cole of Swanzev
Mr. Bednar of Hudson
Mr. Hanson of Bow

On motion of Senator Riley, the Senate voted to concur.

Senator Martel asked that House Bill 604, an act to increase the membership of the Manchester Board of Health be taken from the table.

Senator Provost: "I would like to speak on this amendment. All it does to the bill is to increase the membership of the Manchester Board of Health and the amendment is to increase the membership of the fire commission and the highway commission from 3 to 5."

Senator Martel: "If the amendments offered to this bill have been acted upon by the House last week and defeated, is it parliamentary procedure for us to act on this? May we do so? I have had the impression that if a bill or amendment has already been acted upon in one branch, it may not then be acted upon."

Senator English: "The bill is minus the amendment that was defeated in the House."

Senator Martel: "The bill that will be before us has amendments that were two separate bills that were reported 'inexpedient' by the House."

Senator Lamprey: "The Chair would state that a bill which has been previously killed in either the House or Senate cannot be attached as an amendment. There must be some substantial change although the subject matter may be related."

Senator Martel: "Question."

Senator Lamprey: "The question here is to take HB 604 off the table. That is the question before the Senate."

On a *viva voce* vote the motion was adopted.

Senator Martel: "The amendment offered by the committee is just what I stated. It involves Senate Bills 102 and 103 which were reported 'inexpedient', last Friday in the House. Just the dates have been changed. The amendment is practically word for word the contents of SB 102 and 103. I am fearful that if we adopt this amendment, we would be going contrary to what you just stated, Mr. President. I would like to ask for a ruling."

"The Chair would state that it would be the opinion of the Chair that the changes in the bill are minor and are not of substance and therefore would not be acceptable on House Bill 604."

The bill was ordered to a third reading.

Senator Mitchell: "I rise on point of personal privilege. This may have been mentioned while I was absent but when I arrived this morning, I found this beautiful pocketbook and I want to thank the Senator from the 12th district for his thoughtfulness."

On motion of Senator English, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Judiciary: HB 705, relative to representative town meeting government. Ought to pass.

Senator English: "This bill is designed to be helpful to towns over 5,000. The question arises as to a place to hold meetings. This is permissive legislation which sets up a framework for representative town government. It seems to have merit."

The bill was ordered to a third reading.

On motion of Senator Martel, the Senate went into afternoon session.

Afternoon Session**Third Reading & Final Passage of Bills**

HB 602, relating to the sale of insurance.

On motion of Senator Buchanan, the Senate refused to reconsider its vote on the above-entitled bill.

HB 404, relating to district and municipal courts. On motion of Senator Gove, the Senate refused to reconsider its vote on the above entitled bill.

HB 795, to amend the workmen's compensation law.

On motion of Senator Saggiotes, the Senate refused to reconsider its vote on the above-entitled bill.

Third Reading & Final Passage of Bills (continued)

SB 79, relative to grants in aid to cities and towns in lieu of taxes on state property.

SB 119, relative to compensation for a federal customs officer at Berlin municipal airport.

HB 90, relative to the department of agriculture and to the agricultural advisory board.

HB 102, establishing a finance commission for the city of Manchester.

HB 121, relating to the bounty on bobcats.

HB 159, authorizing taking deer on islands by fish and game director and extending his powers.

HB 264, to authorize payment of twenty thousand dollars as state's contribution to costs of modification and maintenance of New England Exhibit of World's Fair.

HB 285, relating to an additional bounty on porcupines.

HB 293, to make available appropriate non-judicial punishment to members of the N. H. National Guard.

HB 327, relative to the taking, sale, possession, and transportation of lobsters and crabs.

HB 376, to extend service exemption from taxation to certain totally disabled servicemen.

HB 412, relative to fees for inspection of weights and measures.

HB 414, to commemorate with appropriate ceremony the 25th anniversary of the call and departure of members of the National Guard into World War II.

HB 416, providing adequate representation for indigent defendants in criminal cases.

HB 484, relative to minimum wages of employees in public works.

HB 587, to provide for the safe construction, installation, inspection, operation, maintenance, and repair of boilers.

HB 604, to increase the membership of the Manchester board of health.

HB 705, relative to representative town meeting government.

HB 716, relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation.

HB 739, to establish a state commission for human rights.

HB 747, relative to the charter of the city of Manchester.

On motion of Senator O'Gara the Senate adjourned at 6:25 p. m.

WEDNESDAY, June 30, 1965

The Senate met according to adjournment.

A quorum was present.

House Message

The House refuses to concur with the Senate in the adoption of the amendments to the following entitled bill:

HB 213, relative to the salaries of county attorneys and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the

House: Langford of Raymond; Hood of Plainfield; and Palmer of Kensington.

On motion of Senator Johnson, the Senate voted to accede to the request for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee on the part of the Senate, Senators Saggiotes and Foley.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 601, relative to licensing of dogs and information on felony and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Cole of Swanzey; Barker of Stratham; and Coffin of Somersworth.

On motion of Senator English, the Senate voted to accede to the request for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senator Buchanan and Provost.

House Message — First & Second Reading of Bills

HB 405, to change the fees for lobster licenses and regulate the taking of lobsters. Referred to Fish & Game.

HB 449, to provide school aid for effort to establish area or cooperative school districts. Referred to Education.

HB 574, to authorize the director of fish and game to license and regulate the operation of snow traveling vehicles. Referred to Public Works & Transportation.

HB 597, to amend the fixing of lawful speed limits on the highways and to provide for penalties and other sanctions for violation thereof. Referred to Judiciary.

HB 678, to aid a program for the talented student. Referred to Education.

HB 786, to provide for voting by representative districts for house of representatives and other offices. Referred to Exec. Depts., Municipal & County Government.

HB 792, to establish a new apportionment for the assessment of public taxes. Referred to Ways & Means.

HB 788, to provide for an optional provision for the custody of the jail and house of correction in Rockingham County. Referred to Executive Depts., Municipal & County Government.

HB 486, relative to future use of portions of the waters of the Lamprey River and for its tributaries for public use. Referred to Resources, Recreation & Development.

HB 540, relating to excavating, filling and dredging in and adjacent to tidal waters. Referred to Resources, Recreation & Development.

HB 378, establishing a mosquito control commission. Referred to Resources, Recreation & Development.

HB 745, to amend the law relating to real estate brokers and salesmen. Referred to Executive Depts., Municipal & County Governments.

HB 682, to establish a division of marine fisheries for salt water areas of the state. Referred to Fisheries & Game.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 132, legalizing the proceedings of a special meeting of the Amherst school district on June 15, 1965.

The Message also stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 107, establishing a committee to investigate the relationship between salaries of personnel of the University of New Hampshire, Keene and Plymouth State Colleges and classified state employees, and to investigate the effect of having retired persons in the classified service.

Amend the title of the bill by adding at the end the words, and to investigate the effect of hiring of retired persons in the classified service, so that the title is amended to read as follows:

An Act establishing a committee to investigate the relationship between salaries of personnel of the university of New Hampshire, Keene and Plymouth state colleges and classified state employees and to investigate the effect of hiring of retired persons in the classified service.

Amend the bill by adding after section 1 a new section as follows:

2 Hiring of Retired Persons. The committee is further authorized and directed to investigate, with the assistance, advice, and cooperation of the director of personnel and of the head of any other state agency or department that the committee requires, the extent of the hiring of persons in the state classified service who are retired from other employment and who are receiving retirement benefits from other employment, the value of such employment to the state, and the effect of such employment on the state retirement system. The committee is directed to make a report of its findings and its recommendations by December 1, 1966 to the governor and the 1967 general court.

Further amend the bill by renumbering section 2 to read section 3.

On motion of Senator Howard, reading of the amendment was dispensed with.

On further motion of the same Senator, the amendment was adopted.

The Message also stated that the House has voted to discharge the Committee of Conference on the following entitled joint resolution: HJR 19, relative to operating expenses of educational television station WENH-TV, Channel 11, Durham and requests a new Committee of Conference. The Speaker has appointed as members of said Committee on the part of the House: DeLude of Unity; O'Neil of Chesterfield; and Scott-Craig of Hanover.

On motion of Senator Blaisdell, the Senate voted to accede to the request of the House for the discharge of the Committee of Conference on the above entitled Joint Resolution and the appointment of a new Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Johnson and Blaisdell.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference on the following entitled bill:

HB 267, relative to building and loan associations.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference on the following entitled bill:

HB 282, to provide an education for handicapped children.

The Message also stated that the House has voted to adopt the recommendation of the Committee of Conference on the following entitled bill:

HB 667, relative to hearings in enactment of zoning ordinances in towns.

The Message further stated that the House of Representatives has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 207, relative to assessors in the city of Rochester.

The Message further stated that the House has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Whereas, the Great Bay and environs do not adequately provide for public recreational development, and

Whereas, the residents of our state living near this area are in need of outdoor recreational opportunities, and

Whereas, the provisions of adequate recreation are of both social and economic benefit to our state, now therefore be it

Resolved by the House of Representatives, the Senate concurring,

That it is the consensus of the General Court of New Hampshire that there is need for a coordinated effort by the related state agencies in resource matters to place high priority in their efforts to make long range and immediate plans for appropriate and needed developments of Great Bay and en-

virons with particular emphasis upon the needs of state residents for public recreational facilities.

Senator Hunter: "Mr. President, as there are other things pertaining to this that I would like to look into further, I would ask that it be made a Special Order of Business for tomorrow morning at 11:01 o'clock."

The motion for Special Order carried.

Committee Reports

Senator Blaisdell, for the Committee on Liquor Laws: HB 567, relative to local option of sale of liquor and beverages in towns and cities. Ought to pass.

Senator Blaisdell: "Mr. President, this bill was recommended as ought to pass by the Committee. Speaking for myself, I feel as a counter balance in the election, I feel that this is taking nothing from the towns and cities. They can, at the request of the City Clerk, have a petition to get 10% of the voters in the area that this be left on the ballot. I believe that this will save the State some money if this bill is passed. I strongly support this bill and hope that the Senate will pass it."

Senator Mitchell: "Mr. President, this bill does what Senator Blaisdell has said. There was quite a lot of opposition at the time of the hearing, and I think that as far as saving the state some money, I think that you will find if you look at the Red Book — so I question about the saving. Regardless of that, the Committee voted four to one in favor that the bill ought to pass."

Senator Saggiotes: "Mr. President, I rise in support of the bill. I think it is a good bill. It involves a lot of work on the part of ballot clerks and in my opinion, I don't think that the status of any town or city would change as far as their having the sale of malt beverages or liquor no matter how long we have this on the ballot. Under this bill, they would still have a local option. I am told that this is in operation in 35 other states in this country."

Senator Lamontagne: "Mr. President, I wish to be recorded in favor of this bill. If there is trouble, it can be put back on again."

Senator Waterhouse: "Mr. President, I am also in support of the Committee recommendation. I know that every two years every small store in the state has this material passed out. I think this is a move in the right direction."

The bill was ordered to a third reading.

Committee Reports (continued)

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments:

HB 769, clarifying duties, responsibilities and qualifications in the department of health and welfare. Ought to pass.

Senator Buchanan: "Mr. President, this was a Joint hearing between the House and Senate Committees. I was not at that hearing, so I will yield to Senator Johnson."

Senator Johnson: "Mr. President, the purpose of this bill, as title indicates, is to clarify the duties of the various people in the Department of Health & Welfare. The most important part of this bill is this element that clarifies who has the responsibility of the policy of the over-all department and the divisions itself. In working out this bill, we have taken the suggestions of Dr. Robert Hamlin helping us with this bill, Commissioner Barry and other members of the Department. Also, we had discussed with Mr. Maynard who wrote to us after his investigation. There are parts of criticism of all these people that are included in this over-all bill. I think all of us are convinced, who are concerned with the Health & Welfare department, that the current thing is for us to obtain the kind of personnel that can make this department work. It is my opinion that having worked with the medical society and other interested groups over the past two months that this bill will go a long way to attract the sort of people that we need here in New Hampshire in this mental health program. This is a forward step. We have retained the over-all concept of one department. Dr. Hamlin, who had no part in the drafting of the bill in 1961, is a doctor, and a good authority on situations such as this. He feels that we have the ideal type of organization in the over-all structure in New Hampshire. This has been retained. We have clarified the duties for the policy setting as well as the over-all department. There are other parts of the bill that have come out of discussions with the medical society. One of these suggestions

was that the Advisory Commission have a budget of their own. This budget to include personnel, and provide for studies to be made. That the Advisory Commission could be separate and could fulfill their functions in this mental health program. I suggested to Commissioner Barry that the Board be increased by two members, to include particularly a member of the New Hampshire Hospital association. This has been put into the bill. One member from the public, also has been added to the Board. As to the method of nomination, in every instance, we have allowed two choices to be made, with the person making the appointment being able to choose from the two, or he may waive this. There are some other rather technical amendments concerning the trust funds at the State Hospital which will now be administered by the Superintendent of the State Hospital. This is an effort in making the administration of the department more efficient. We also clarified in the bill the educational responsibility of the Superintendent of the Hospital and in this way, we also feel that we have up-dated the statute passed in 1961. In summary, I would like to point out that the most important thing this bill does is to clarify the situation and, even more important than that, it will help us to attract the kind of people that we need to fill the jobs that have to be filled here in New Hampshire. We have reassurance from Dr. Hamlin that we will be able to obtain federal funds which will help to upgrade our hospital. I think I speak for every member of this Senate, when I say that we are all concerned about the situation of mental health here in New Hampshire. It is a problem that needs a great deal of help to fill these jobs. This is a step in the right direction and I hope that the Senate will go along with it."

The bill was ordered to a third reading.

Senator English, for the Committee on Judiciary:

HB 765, relating to hearings in enactment of building code ordinances. Ought to pass with amendment.

Amend the last unnumbered paragraph of RSA 156-A:1-a as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

If such action is to be taken at a meeting other than the one at which officers are to be elected the clerk shall prepare a special ballot containing the question above stated and the meeting shall open not later than noon and shall remain open at least

eight hours. If such action is to be taken at a meeting in a town which has not adopted an official ballot the clerk shall likewise prepare a special ballot for the use of voters in voting on the question. If two-thirds of the voters present and voting on this question shall vote in the affirmative the ordinance, or amendment thereto, shall be declared to have been adopted. Upon the petition of twenty-five voters for an amendment to the building code ordinance, the planning board shall proceed with the hearing and submit the amendment to the voters of a town as prescribed in this section. When submitting any question to the voters under this section, the form of the ballot shall be as prescribed by RSA 59:12-a.

On motion of Senator English, reading of the amendment was dispensed with.

Senator English: "Mr. President, the amendment was in order to bring the procedures of this bill in line with other procedures relative to zoning and is a change only with respect that two-thirds is substituted for three-fourths of the voters, and adds present and voting. I believe that this is all that can be said about this bill. It just provides procedure here. As far as I know, it is without opposition.

Senator Martel inquired who introduced the bill.

Senator English replied: Bednar of Hudson.

The amendment was adopted, and the bill as amended was ordered to third reading.

Introduction of Guests

As the guests of Senator Martel, Marc Normand, the son of his Secretary, Mrs. Cecile Normand, and friend, Richard St. Jean. Both are sophomores at Bradley High School in Manchester.

As the guest of Senator Green, Mrs. Helen Goode of Manchester, the wife of Henry Goode.

Committee Report

Senator English, for the Committee on Judiciary:

HB 736, relating to penalties for transferring lots in unapproved subdivisions. Ought to pass.

On motion of Senator Howard, the above entitled bill and Committee Report were laid on the table.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

SB 85, An Act relative to the town of Hampton Municipal Development Authority.

SB 93, An Act relative to exemption from taxation of certain railroads.

SB 101, An Act relative to the recognition of certain marriages performed out of state.

SB 124, An Act changing the date on which tax collectors' deeds become incontestable.

SB 131, An Act legalizing the proceedings of the annual meetings of the Hooksett school district.

SB 90, An Act raising the maximum amount of group life insurance allowed to be written for two or more employers in the same industry or two or more labor unions.

HB 198, An Act relative to adoption of building codes and fire prevention codes by cities.

SB 4, An Act relative to the definition of a juvenile.

HB 639, An Act relative to completion of certain capital improvements at Keene and Plymouth state colleges and extending the appropriations therefor.

HB 696, An Act to reduce residence requirement to vote for presidential electors.

HB 509, An Act creating an office of community recreation service.

HB 257, An Act to regulate the filing of plans for land subdivisions.

HB 446, An Act relative to town road aid.

HB 463, An Act increasing the salaries of the county commissioners and treasurer of Carroll county.

HB 615, An Act relative to salary of the sheriff of Grafton county.

SB 76, An Act relative to the exemption from tax on neat stock and poultry.

HB 106, An Act providing additional retirement allowances for certain retired teachers.

SB 80 An Act relative to guaranteed loans to students for higher education.

HB 704, An Act establishing the water pollution commission as an independent agency.

HB 748, An Act relating to procedure for re-assessments of taxable property by the tax commission.

Eda C. Martin
For the Committee

The report was accepted.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 728, relating to full time employees of approved public academies. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Public Academies. Amend RSA 100 by inserting after section 60 as inserted by 1965 (SB 67) the following new subdivision:

Further amend the bill by renumbering RSA 100:52, 53 and 54 as inserted by section 1 of the bill to read 100:61, 62 and 63 respectively.

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills: HB 298, to allow children to work in certain occupations other than farm or domestic labor. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 3 of said bill by striking out the fourth, fifth and sixth lines and inserting in place thereof the following:

found to be unsanitary, or the child who is found to be below the normal development for children of his age and could not, in the judgment of the

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Limitations. Amend RSA 276 by inserting after section 3 the following new section:

276:3-a Application of Statute. The provisions of the two preceding sections shall not apply to a child employed by his parents or grandparents. Said sections shall also not apply to a child employed by the person who has custody of the child said child being fully maintained by said custodian.

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills:

HB 739, to establish a state commission for human rights. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Repeal. RSA 354, as amended by 1961, 219:1, 2 and 3 is hereby repealed.

The Senate voted to concur.

House Message

The House has voted to adopt the amendments offered by the Committee on Engrossed Bills to the following entitled House Bill, in the adoption of which amendments the House asks concurrence of the Senate:

HB 223, to regulate extension of operators licenses of members of armed forces during a war.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Licenses to Operate. Amend RSA 261:15 by striking out the section and inserting in its place the following 261:15 License Expiration — Members of the Armed Forces. Any person who is a member of the armed forces of the United States and who at the time of his induction, call to active duty or enlistment into the armed forces for two or more years and was a holder of a valid New Hampshire license to operate motor vehicles in this state, is entitled to renew his license without cost, for the duration of his service on active duty, plus ninety days, by application to the division of motor vehicles. Said application must be accompanied by a letter giving date of expiration of active duty, signed by a commissioned officer. The division of motor vehicles will stamp on expiration date line, date of expiration of active duty, plus ninety days on license. Such a person while operating a motor vehicle, shall carry upon his person the license issued to him. The privilege of this section remains in effect for ninety days after the discharge or release of such a person from active duty. Nothing in this section permits a person against whom a revocation or suspension of a license is in force, or a person who has been refused a license by the director of the division of motor vehicles, to operate a motor vehicle. The provisions of this section become effective when the United States is at war as declared by congress or by proclamation of the president of the United States, or when such member of the armed forces is actually engaged in a combat zone of an undeclared war.

On motion of Senator Gove, the reading of the amendment was dispensed with.

On further motion of the same Senator, the Senate voted to concur.

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 608, relative to standards for tires on motor vehicles and trailers.

Amend RSA 263:84 as inserted by section 1 of the bill by striking out the last line and inserting in place thereof the following:

this subdivision.

Amend the bill by striking out in paragraph II of RSA 263:85 as inserted by section 1 of the bill the last three lines.

Further amend the bill by inserting in section 1 after RSA 263:89 the following new section:

263:90 Prohibition. It is unlawful for any person to use or sell any used passenger car tires that have been regrooved.

The Senate voted to concur.

The Message also stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which the House asks the concurrence of the Senate:

SB 57, relative to the power of the Governor and Council to fix salaries of unclassified positions.

Amend the title of the bill by striking out the words "relative to classification of the permanent positions of senior psychiatrists at the New Hampshire hospital and" so that said title as amended shall read as follows:

An Act

relative to the power of the governor and council to fix salaries of unclassified positions.

On motion of Senator Howard, the Senate voted to concur.

On motion of Senator English, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Education:

HB 638, relative to the Salem School District Recommend that the bill be referred to the Legislature Council.

Senator English: "Mr. President, the Senators are aware of the existence of this bill. In effect, this bill is a petition for divorce. There are procedures for divorce through legalized machinery and it is right and proper that the Salem School District shall apply to the Legislature. This bill is of a compli-

cated nature. It is a problem shared by these towns in this area, and not alone by Salem. There are real problems and I personally know that the population of these towns where the population is doubling in five years. The Committee, with great sympathy and understanding, took up this matter and came up with this answer that you have heard. So the Committee feels that this is the thing to do. If they should find in this particular case some solution, they are requested to report back to the next session of the legislature where it will be given careful consideration."

Senator Foley: "Mr. President, I should like to say that I think Salem has a problem of their own. I think some times the State Board of Education wants people to think that everything is wonderful, so they close their eyes and do not admit that the problems actually exist. I think it is good that this has been brought out. I hope that the Legislative Council will give this deep study and I come up with recommendation to the next Legislature."

Senator Waterhouse: "Mr. President, I concur with the remarks of the Chairman of the Education Committee. Personally, I would like to have seen the thing come in with Inexpedient but I am very happy to go along with his recommendation."

The recommendation of the Committee was adopted.

Committee of Conference Report

The Committee of Conference to whom was referred HB 282, An Act to provide an education for handicapped children, having considered the same, report the same with the following recommendation:

That the House recede from its position of nonconcurrency on the Senate amendment and concur in the adoption of the Senate Amendment; and

That the House and Senate adopt the following amendment:

Amend the bill by inserting after section 2 the following new section:

3 Appropriation. The sum of one hundred ten thousand dollars is hereby appropriated for the biennium ending June

30, 1967, to be expended by the state board of education for the purposes of implementing the provisions of this act relative to physically handicapped as defined in section 1 of this act. The sum hereby appropriated shall be in addition to any other sums appropriated for the use of the state board of education. Chargeable to such appropriation shall be the services of one full-time director, labor grade 25, and one-half clerk-stenographer II, labor grade 6, and sums not to exceed eight hundred dollars for travel and five hundred dollars for operating expenses during each year of the biennium. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend the bill by striking out paragraph II of section 2 and inserting in place thereof the following:

II. RSA 186:50-d, 50-e, 50-f, as amended by 1963, 185:1, and 50-g, all four as inserted by 1961, 226:1, relative to intellectually retarded children.

Further amend the bill by renumbering section 3 to read section 4.

Conferees for the Senate
Senator Gardner of District 6
Senator Bergeron of District 20

Conferees for the House
Mr. Taft of Greenville
Mr. Craig of Manchester
Mr. O'Neil of Chesterfield

On motion of Senator Gardner, the Senate voted to concur.

Committee of Conference Report

The Committee of Conference to whom was referred HB 43, making appropriations for county extension agents, having considered the same, report the same with the following recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment; and

That the Senate recede in its position in adopting the amendment; and

That the House and Senate adopt the following amendment:

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Appropriation. In addition to the annual appropriation provided in the appropriation act for county extension work under RSA 187:23, there is hereby appropriated for the same purpose the sum of nineteen thousand dollars for the fiscal year ending June 30, 1967.

Further amend the bill by adding after section 2 the following new section:

3 Takes Effect. This act shall take effect as of July 1, 1965.

Conferees for the House

Mrs. Weeks of Greenland

Mr. Ballam of Walpole

Mr. Underwood of Chester

Conferees for the Senate

Senator Gardner of District No. 6

Senator Waterhouse of District No. 19

On motion of Senator Gardner, the Senate voted to concur.

House Message — First & Second Reading of Bills

HB 796, providing for additional appropriation to meet certain contractual deficiencies. Referred to Finance.

HB 674, to create a permanent traffic safety commission. Referred to Public Works & Transportation.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 125, relative to state employees retirement system.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 416, providing adequate representation for indigent dependents in criminal cases.

HB 747, relative to the charter of the city of Manchester.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill, sent down from the Senate:

HB 102, establishing a finance commission for the city of Manchester.

On motion of Senator Hunter, the rules were suspended to permit third reading and final passage of the following entitled bill at the present time:

HB 769, clarifying duties, responsibilities and qualifications in the Department of Health & Welfare.

Third Reading & Final Passage of Bill

HB 769, clarifying duties, responsibilities and qualifications in the Department of Health & Welfare.

On motion of Senator Hunter, the Senate refused to reconsider its vote.

On motion of Senator Gove, the rules were suspended to permit the third reading and final passage of the following entitled bill at the present time:

HB 567, relative to local option of sale of liquor and beverages in towns and cities.

Third Reading & Final Passage of Bill

HB 567, relative to local option of sale of liquor and beverages in towns and cities.

On motion of Senator Blaisdell, the Senate refused to reconsider its vote.

On motion of Senator Blaisdell, the rules were suspended to permit the third reading and final passage of the following entitled bill at the present time:

HB 765, relating to hearings in enactment of building code ordinances.

Third Reading & Final Passage of Bill

HB 765, relating to hearings in enactment of building code ordinances.

On motion of Senator Lamontagne, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Lamontagne, for the Committee on Public Works & Transportation:

HB 660, relative to a study for the East-West Highway. Ought to pass.

Senator Martel inquired if there was not an appropriation for \$1,000.

Senator Lamontagne replied that it had been taken off. Stated that the procedure had been explained to the Committee, but the Chairman of the Committee is not in the Chamber at the present. Further stated that the work would be done by the Department of Public Works— that Commissioner Whittaker had appeared before the Committee and said that they could take care of the matter. Further stated that no one appeared in opposition.”

The bill was ordered to a third reading.

Senator Buchanan presiding.

Bill Recalled from the Governor

On motion of Senator Lamprey, the following entitled bill was recalled from the Governor:

SB 48, relating to hairdressers.

On further motion of the same Senator, the rules were so far suspended as to place this bill on second reading and open to amendment at the present time.

On further motion of the same Senator, the rules were further suspended as to dispense with referral of the above entitled bill to the Finance Committee.

Senator Lamprey explained: “This bill carries an appropriation of \$4,000. It is for the hire of an assistant to go around to inspect the hairdressing shops throughout New Hampshire. The money will come directly from their own appropriation.”

The bill was ordered to a third reading.

On motion of Senator Howard, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

HB 662, relative to the salaries of unclassified state officials. Ought to pass with amendment.

Amendment

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Salaries. Amend RSA 94:1, as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8. 1957, 90:1; 223:1; 274:4, 7; 315:2. 1959, 199:4; 268:12. 1961, 166:5; 221:4; 225:5; 223:4; 266:12. 1963, 39:2; 132:2; 209:2; 328:17; 303:14, by striking out said section and inserting in place thereof the following:

94:1 Salaries Established. The annual salaries for the positions set forth shall be as follows:

	Minimum	Maximum
Governor		\$30,000
Chief justice, supreme court		25,000
Chief justice, superior court		22,000
Associate justice, supreme court (4)		22,300
Associate justice, superior court (7)		20,000
Judges, probate court (10)		6,000
Racing commissioners (3)		3,000
Sweepstakes commissioners (3)		2,400
State entomologist		3,500
Adjutant general	\$12,000	13,500
Assistant attorney general (6)	9,000	13,500
*Notwithstanding the provisions of any other statute, the pay range for the Assistant Attorneys General shall be as set forth in this act.		
Assistant bank commissioner	10,500	12,000
Assistant business supervisor	10,500	12,000
Assistant business supervisor—agriculture	9,000	10,500
Assistant commissioner, public works and highways	15,000	16,500

Assistant to insurance commissioner	9,000	10,500
Assistant state librarian	9,000	10,500
Assistant superintendent, New Hampshire hospital	17,720	20,720
Attorney general	16,000	17,500
Bank commissioner	13,500	15,000
Business supervisor	12,000	13,500
Business supervisor — health and welfare	12,000	13,500
Chairman, water resources board	10,500	12,500
Clerk of supreme court and court reporter	13,500	15,000
Commandant, soldiers' home	8,000	9,500
Commissioner of agriculture	12,000	13,500
Commissioner of department of employment security	16,000	17,500
Commissioner of education	15,000	16,500
Commissioner of health and welfare	16,000	17,500
Commissioner of public works and highways	17,000	18,500
Commissioner of resources and economic development	15,000	16,500
Commissioner of safety	15,000	16,500
Comptroller	16,000	17,500
Counsel, department of employment security	11,300	12,800
Deputy attorney general	13,500	15,000
Deputy bank commissioner	12,000	13,500
Deputy commissioner of education	12,000	13,500
Deputy commissioner of public works and highways	15,000	16,500
Deputy director, New Hampshire distributing agency	6,500	8,000
Deputy director of personnel	10,500	12,000
Deputy insurance commissioner	10,500	12,000
Deputy labor commissioner	8,000	9,500
Deputy registers of probate:		
Rockingham	5,300	6,800
Strafford	4,600	5,930
Belknap	4,600	5,930
Carroll	4,600	5,930
Merrimack	5,300	6,830
Hillsboro	6,200	7,730
Cheshire	4,220	5,330
Sullivan	4,220	5,330
Grafton	4,600	5,930
Coos	4,220	5,330

Deputy secretary of state	10,500	12,000
Deputy state treasurer	10,500	12,000
Deputy superintendent industrial school	8,000	9,500
Deputy superintendent, Laconia state school	15,500	17,000
Deputy warden, state prison	8,000	9,500
Director of aeronautics	12,000	13,500
Director, charitable trusts	4,500	6,000
Director of clinical services	15,500	17,000
Director of clinical and surgical services	15,500	17,000
Director of correctional psychiatry	15,500	17,000
Director, division of accounts	12,000	13,500
Director of division of economic development	12,000	13,500
Director, division of mental health	21,375	24,375
Director of division of parks	12,000	13,500
Director, division of public health services	15,000	16,500
Director, division of purchase and property	12,000	13,500
Director of division of resources and develop- ment	12,000	13,500
Director, division of welfare	12,000	13,500
Director of fish and game	12,000	13,500
Director of motor vehicles	10,500	12,000
Director, New Hampshire distributing agency	9,000	10,500
Director, out-patient services	15,500	17,000
Director of personnel	12,000	13,500
Director of Probation	9,000	10,500
Director of psychiatric education and research	15,500	17,000
Director of records management and archives	6,500	8,000
Director of safety services	9,000	10,500
Director of state police	10,500	12,000
Director of technical institute	12,000	13,500
Director, veterans' council	8,000	9,500
Executive director, sweepstakes		20,000
General counsel, department of employment security	12,000	13,500
Insurance commissioner	13,500	15,000
Labor commissioner	10,500	12,000
Liquor commissioner, chairman	10,500	12,000
Liquor commissioners (2)	10,000	11,500
Parole officer	9,000	10,500
Public utilities commission, chairman	12,000	13,500
Public utilities commissioners (2)	10,500	12,000
Registers of probate:		
Rockingham		4,600

Strafford		4,400
Belknap		4,400
Carroll		4,400
Merrimack		4,600
Hillsboro		4,800
Cheshire		4,000
Sullivan		4,000
Grafton		4,400
Coos		4,000
Secretary of state	12,000	13,500
Secretary, tax commission	13,500	15,000
Senior psychiatrist	14,600	16,930
State fire marshal	9,000	10,500
State librarian	10,500	12,000
State treasurer	12,000	13,500
State veterinarian	9,000	10,500
Superintendent, industrial school	13,500	15,000
Superintendent, Laconia state school	15,000	16,500
Superintendent New Hampshire hospital	19,396	22,396
Superintendent, state sanatorium	13,500	15,000
Tax commissioner (2)	10,500	12,000
Warden, state prison	13,500	15,000

Officials named in this section shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and in accordance with RSA 94:3. Racing commissioners, sweepstakes commissioners, and the state entomologist only excepted, any official whose salary upon placement in the new salary range is less than that of a classified employee in his department shall be placed at the next higher step in range above said classified employee and shall be entitled to any increase provided for herein until the maximum is reached.

Notwithstanding any other provisions of law to the contrary, the salaries of Judges of probate court, Deputy registers of probate, and Registers of probate shall be as set forth above.

On motion of Senator Howard, reading of the amendment was dispensed with.

Senator Howard: "Mr. President, this is a bill that has to be introduced every session, relative to unclassified employees' wages. There are about 12 changes from the House bill. First, we have tied into this bill salaries for judges of probate court,

deputy registers of probate court—this is in another classification of RSA and there is a bill working in the House and we have tied this on to get it through. Unemployment Security, \$1500 from the House. Deputy Bank Commissioner, \$1500 from the House. Deputy Supt. of Laconia State School, \$1700 from the House. Director of State Police, \$1500 from the House. Fire Marshall, \$1500 from the House and there are some amendments that are routine.”

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance: SB 112, relative to powers and duties of the aeronautics commission. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following new section:

1 State Aeronautics Commission. Amend RSA 422:8 by striking out said section and inserting in place thereof the following: 422:8 Powers and Duties. The commission is hereby authorized in the name of the state to engage in any aeronautical activity essential to the progress of aeronautics provided that the construction of or the taking and holding of air navigation facilities as defined by RSA 422:3, VI, including airport acreage and buildings thereon, by donation, bequest, lease, purchase or otherwise shall be subject to approval of the governor and council. The commission is authorized to engage in the purchase and sale of equipment and supplies necessary for or incidental to any of its functions, the furnishing of services and accommodations in connection with the operation or maintenance of airports or airport services, the operation of aeronautical schools, the rendering of essential services on airports constructed, operated, or maintained by the state in connection with the state airways system; may engage in such activities jointly with the United States, other states and with political subdivisions or other agencies of the state, and may charge reasonable fees for such operations. The commission is empowered

to perform such acts to conduct such investigations, to issue and amend such orders, and to make and amend such rules, regulations, and procedures, pursuant to and not inconsistent with the provisions of this chapter and the then current federal legislation governing aeronautics and the regulations duly promulgated thereunder, as it shall deem necessary to carry out such provisions and to exercise and perform its powers and duties under this chapter. In administering this chapter the commission, or the director, when authorized by the commission, shall have the power to conduct hearings, subpoena and examine under oath airmen, aircraft and landing area owners and operators, their books, records, documents, correspondence and accounts and any other person it deems necessary to carry out the purpose and intent of this chapter. The commission shall for such time and over such areas, as may be directed by the governor and council, suspend the right of all airmen, subject to the jurisdiction of said commission, to operate.

Further amend the bill by striking out section 2 and renumbering section 3 to read section 2.

On motion of Senator Lamprey, reading of the amendment was dispensed with.

Senator Lamprey: "Mr. President, this particular bill is relatively technical in nature in that we changed the word 'include' to 'provided that' and we changed the method in which land may be donated, bequeathed or leased so as to be subject to the approval of the Governor and Council and added the commission is authorized to engage in the purchase of supplies, etc. This amount of appropriation has been reduced from \$75,000 to \$25,000."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance: HJR 46, to establish an interim study on uniform vehicle law. Ought to pass with amendment:

Amend the resolution by striking out the entire resolving paragraph and inserting in place thereof the following:

That a special interim uniform vehicle laws study committee is hereby established and authorized to continue the comparison of our state's motor vehicle laws with the uniform vehicle code and prepare legislation to be presented to the next session of the legislature to bring our state's traffic laws into closer conformity with the provisions of the code. The committee shall consist of three members of the senate; four members of the house to be appointed by the speaker of the house; the commissioner of safety; the attorney general; and five citizens at large, representing organized groups of motor vehicle owners and industries associated with highway transportation, to be appointed by the governor. Any funds up to twenty-five hundred dollars which may be necessary for the hiring of extra personnel to do the actual job of comparison and preparation of legislation shall be a charge on the funds of the department of safety. The members of the committee who are members of the general court shall be reimbursed for their mileage, at the same rate as state employees, and expenses when engaged in their duties hereunder and such payments shall be a charge against the legislative appropriation.

On motion of Senator Lamprey, the rules were suspended to dispense with reading of amendment.

Senator Lamprey: "Mr. President, the sole change that the Finance Committee made was just to make a specific amount that this committee could spend in regard to the interim study. It was a wide-open blank check prior to this amendment and we put \$2,500 in there for the expenditures of the interim committee."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance: HB 438, to increase the loan and guarantee limits of the Industrial Park Authority. Ought to pass with amendment.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act

to increase the guarantee limits and powers of the
Industrial Park Authority.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Limit of Guarantee of Mortgages Increased. Amend RSA 162-A:14-a as inserted by 1961, 246:1 and amended by 1963, 155:6 by striking out the same and inserting in place thereof the following: 162-A:14-a Guarantee of First Mortgages. Upon recommendation of the authority for the proper implementation of the declared purposes of this act, the governor, with the advice and consent of the council, is authorized in the name of the state to guarantee payment of a portion of first mortgages on (1) industrial real property (2) recreational real property and (3) real property for dormitories of private higher educational institutions within the limitations hereinafter prescribed. I. The mortgage indebtedness shall not exceed the current appraised value of the secured realty, including land and buildings.

II. The guaranty at any given time shall not exceed fifty percent of the outstanding balance of any mortgage loan and may be set at less than fifty percent upon the recommendation of the authority.

III. No guaranty upon a first mortgage upon any industrial real property shall exceed five million dollars.

IV. The authority shall charge for said guaranty not less than one percent per annum of the amount to which state guaranty is applicable, provided however that in the event the guaranty upon one transaction exceeds one million dollars upon recommendation of the board of directors of the authority the governor and council may approve a lesser charge which shall however in no case be less than one half of one percent of the amount to which state guaranty is applicable.

V. No mortgage which does by its terms require full payment of both principal and interest within twenty-five years

from the date of execution of said mortgage shall be eligible for any state guaranty in whole or in part.

VI. The total obligation of the state under the provisions of this section shall at no time exceed the amount of eighteen million five hundred thousand dollars, of which amount not more than fifteen million dollars shall be in connection with industrial real property, not more than two million dollars shall be in connection with recreational real property and not more than one and one-half million dollars shall be in connection with real property for dormitory buildings of private higher educational institutions.

Amend the amending clause of section 2 of the bill by striking out the same and inserting in place thereof the following:

2 New Machinery and Equipment. Amend RSA 162-A by inserting after section 14-a as inserted by 1961, 246:1 and amended by 1963, 155:6 and section 1 of this act the following new section:

Amend the bill by inserting after section 4 the following new section 5:

5 Powers of Authority Extended. Amend RSA 162-A:6 as inserted by 1955, 254:6 and amended by 1963, 155:2 by striking out clause (14) and inserting in place thereof the following: (14) To participate in refinancing or refunding operations of any project or development to which the authority has loaned money or guaranteed a first mortgage loan or first security interest in machinery on such terms and conditions as the governor and council shall approve.

(15) To do all other lawful things necessary and incidental to the forgoing powers.

Further amend the bill by renumbering the original section 5 to read 6.

On motion of Senator Lamprey, reading of the amendment was dispensed with.

Senator Lamprey: "Mr. President, this is the bill that increases the bonding authority by the Industrial Park Authority and it comes in with the same amendment that the House recommended except that the Senate has included an additional

authorization of 1 million 5 thousand dollars so that private colleges can get a guarantee from the authority for the building of dormitories or some other self-liquidating project. This increases the authority from 5 million at the present to a total of 21 million, 5 thousand dollars. This is all that the Senate did in regard to changes on this Industrial Park Authority bill."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

HB 37, relative to the relocation of a portion of the Central New Hampshire Turnpike. Ought to pass with amendment.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Central New Hampshire Turnpike. Amend RSA 257-A:1 by inserting after the word "Nashua" in the seventh line the words, and to lay out and construct additional ramps at the interchange of the central New Hampshire turnpike and route 130, and for the acquisition of land necessary for continuation and construction of the F. E. Everett turnpike to the N. H., Mass. boundary and to provide an access road or ramps north and south at Spitbrook road, provided funds are available for the construction of the additional ramps within the appropriations made hereunder for the purposes of this chapter, so that said section as amended shall read as follows: 257-A:1 Authority Granted. For the purpose of connecting the central New Hampshire turnpike with the proposed relocation of route U. S. 3 in Massachusetts, at the New Hampshire-Massachusetts boundary, the commissioner of public works and highways, with the approval of the governor and council, is hereby authorized to lay out and construct a relocation of the central New Hampshire turnpike at a point westerly of the present location of said route in the city of Nashua, and to lay out and construct additional ramps at the interchange of the central New Hampshire turnpike and route 130, and for the acquisition of land necessary for

continuation and construction of the F. E. Everett turnpike to the N. H. Mass. boundary and to provide an access road or ramps north and south at Spitbrook road, provided funds are available for the construction of the additional ramps within the appropriation made hereunder for the purposes of this chapter. Except as may be inconsistent herewith and except as hereinafter otherwise provided, said relocation shall be laid out, constructed and operated in accordance with, and shall be subject to, the provisions of RSA 257, including, but not limited to, section 7 of said chapter 257. Provided further that said relocation shall not be opened to traffic until relocated route 3 in Massachusetts shall also be opened to traffic.

Further amend said bill by inserting after section 1 the following new section:

2 Appropriation Increased. Amend RSA 257-A:2, as inserted by 1963, 281:1 by striking out the same and inserting in place thereof the following: 257-A:2 Funds Provided. A sum not exceeding four million dollars is hereby appropriated for the purpose authorized in this chapter. The appropriation shall be a continuing appropriation and shall not lapse.

Further amend said bill by renumbering sections 2 to 4, inclusive, to read sections 3 to 5.

On motion of Senator Lamprey, reading of amendment was dispensed with.

Senator Lamprey: "Mr. President, this allows the authorization of the extension of Central New Hampshire Turnpike to the Massachusetts line, all of which is in the city of Nashua. The amendment does what the House thought they had provided for when they passed the bill. It has to do with an exit road coming off from Spickett Road."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

HB 228, making an appropriation for the replacement of navigation aids and other purposes. Ought to pass with amendment.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appropriations for Aircraft Rental. The sum of four thousand dollars is hereby appropriated for expenditure by the aeronautics commission as needed during the biennium ending June 30, 1967, for the purpose of aircraft rental. This appropriation shall be in addition to any other sums appropriated for the aeronautics commission. The governor is authorized to draw his warrant for the sums appropriated out of any money in the treasury not otherwise appropriated.

2 Takes Effect. This act takes effect July 1, 1965.

Senator Lamprey: "Mr. President, this strikes all the navigation aids that were in the original bill. All that is left in this bill is \$4,000 which was in the original bill for the rental of an airplane for the Aeronautics Commission. We are not doing away with these navigation aids. We are putting them in the capital budget. We felt that is where it should be put, being a capital expenditure. The Finance Committee dropped the amount of rental from \$10,000 to \$4,000."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

HJR 47, in favor of Albert D. Clarke and Ida M. Clarke. Ought to pass with amendment.

Amend the joint resolution by striking out all after the resolved clause and inserting in place thereof the following:

That the sum of two thousand six hundred fifty five dollars is hereby appropriated to reimburse Albert D. Clarke and Ida M. Clarke, or the survivor of them, for medical expenses, pro-

perty damage, loss of compensation, permanent disability and other damages directly resulting from the falling of a hazardous tree within the limits of the highway upon the motor vehicle in which they were riding along Route 3 in Tilton, New Hampshire, which is a state highway, on September 16, 1961. The payment of this sum is in full and final settlement of said claim. The appropriation made hereunder shall be a charge on the highway funds.

On motion of Senator Lamprey, reading of the amendment was dispensed with.

Senator Lamprey: "Mr. President, this joint resolution allows the payment of \$2655 to Albert D. and Ida M. Clarke who were in an automobile accident at Winnisquam near Jay's Marina. They were driving along the highway and a large limb fell on their car. This caused injury to Albert and Ida Clarke in the amount of about \$1900 and in damage to their car to the extent of \$550. There was a loss of time here and then there was a court action to determine who was responsible and it was finally determined that this particular tree was on land owned by the state and not on the property of Jay's Marina. Therefore, they came to the state of New Hampshire for liability, which they are entitled to. The Finance Committee felt that they should be reimbursed. We recommended the payment of \$2655."

Senator English inquired: "I would appreciate learning — is it generally in cases of this sort, liability on an individual or on the state?"

Senator Lamprey: "It was felt that the state has a responsibility to see that rotten trees are removed from the highway. We spend thousands of dollars to see that this done. This particular tree — it had been determined that this tree was in bad condition. This accident did not happen in a wind storm. The Clarkes are now residents of New Hampshire, although they were residents of Massachusetts when this happened."

The amendment was adopted and the joint resolution as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

HB 2, to authorize the payment of money from unclaimed estates into the general fund. Ought to pass.

Senator Lamprey: "Mr. President, this is a good bill because it allows payment into the general fund of some \$60,000 from estates that the State Treasurer has been holding for a period of 15 years or more. After 15 years, if no one has made claim against these monies, then every session of the Legislature, we pass an act putting them into the general funds of the state. That is all the bill does."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

HB 339, relative to legislative mileage allowances. Ought to pass.

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

HB 396, to provide a procedure for final payment to contractors on public contracts. Ought to pass.

Senator Lamprey: "Mr. President, this would allow three new employees within the area of the unclassified service of public works. Specifically, they would be auditors so that payment could be made more readily and rapidly than is taking place at the present time. Because they send out all their auditors in the good weather—spring, summer and fall—they do not do any accounting work as far as contractors are concerned. Therefore, they are from eight to twelve months behind in the final payment of monies to contractors. This would allow them

to catch up and stay up-to-date. Three in the auditing division of the Highway Department. All of this money would come from highway funds. The cost would be \$35,000 for the first year and \$37,000 for the second year."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Provost, for the Committee on Finance:

HB 592, providing additional retirement allowances for certain retired state employees. Ought to pass.

Senator Lamprey: "Mr. President, I guess everybody here knows that retirement allowances have to be appropriated for each employee in state service. This takes care of the retired state employees prior to 1945 so that they shall receive the minimum retirement allowance. This appropriation is in the vicinity of \$41,000. This is a decreasing retirement fund because as people become deceased, the need for this particular bill decreases in amount."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 293, to make available appropriate non-judicial punishment to members of the New Hampshire National Guard.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first ten lines and inserting in place thereof the following:

1 The Militia. Amend paragraph III of RSA 110-A:54, as inserted by 1957, 147:1 by inserting after the word "week" in the third line the words, imposition of fines not exceeding fifteen dollars for any single offense, and by striking out the words

“forfeiture of pay or” in the fifth and sixth lines so that said paragraph as amended shall read as follows:

The Senate voted to concur.

House Message — First & Second Reading of Bills

HB 693, to regulate the licensing, location, and relicensing of motor vehicle junk yards. Referred to Public Works & Transportation.

HB 743, to amend the junk dealers law. Referred to Public Works & Transportation.

On motion of Senator Lamprey, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

SB 48, relating to hairdressers.

Third Reading & Final Passage of Bill

SB 48, relating to hairdressers.

The Chair declared a Recess of one hour.

(Recess)

The Senate re-assembled.

House Message

The House of Representatives concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 64, relative to the practice of architecture.

Amend the bill by striking out section 3 and inserting in its place the following:

8 Applicants. Amend RSA 310:12 by striking out the section and inserting in its place the following:

310:12 Preliminary Requirements for Registration. The following preliminary requirements shall be considered as minimum evidence satisfactory to the board that an applicant is qualified for registration to practice architecture in this state: (a) applicant shall be at least twenty-five years of age and shall

have graduated from an approved high school course or its equivalent, and (b) applicant shall have graduated with a degree from a school or college of architecture approved by the board as of satisfactory standing and three years of practical experience satisfactory to the board in the office of an experienced architect or architects, or (c) in lieu of (b) the applicant shall have eight years of diversified practical experience in the office of an experienced architect or architects, or (d) in lieu of (b) or (c) the applicant shall have training which, in the opinion of the board, is fully equivalent to the requirements of either (b) or (c). Upon complying with these preliminary requirements the applicant shall, in order to become registered, pass written examinations as provided in section 21 and except as otherwise provided in section 17.

Further amend the bill by striking out section 18 and re-numbering sections 19, 20, 21 and 22 to read sections 18, 19, 20 and 21.

The Senate voted to concur.

The Message further stated that the House refuses to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 43, relative to the laying out of Class IV, V and VI highways of cities and towns.

SB 91, relating to acquisition of abandoned dams by the water resources board.

SB 129, providing that abandoned railroad rights of way shall be retained for equitation, bicycle, and pedestrian uses only.

The Message also stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 128, relating to the waiver of indictment.

SB 117, relating to house boats on Conway Lake and Silver Lake in Madison.

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 298, to allow children to work in certain occupations other than farm or domestic labor.

The Senate voted to concur.

HB 728, relating to full time employees of approved public academies.

The Senate voted to concur.

HB 739, to establish a state commission for human rights.

The Senate voted to concur.

The Message also stated that the House has voted to concur with the Senate in the passage of the following Concurrent Resolution:

Concurrent Resolution relative to federal income tax and numerous other taxes levied by the federal government.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 327, relative to the taking, sale, possession and transportation of lobsters and crabs.

The Message also stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following captioned joint resolution: HJR 19, relative to operating expenses of educational TV station WENH-TV in Durham.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 213, relative to the salaries of county attorneys.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 716, relative to the United States Trade Expansion Act of 1962 and unemployment compensation.

The Message also stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 43, making appropriations for county extension agents.

The Message also stated that the House refuses to concur with the Senate in the passage of the following entitled bill:

SB 54, relative to hunting with bow and arrow.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 90, An Act relative to the department of agriculture and to the agricultural advisory board.

HB 159, An Act authorizing taking deer on islands by fish and game director.

HB 376, An Act to extend service exemption from taxation to certain totally disabled servicemen.

HB 420, An Act to revise the ward boundaries of the city of Nashua.

HB 587, An Act to provide for the safe construction, installation, inspection, operation, maintenance and repair of boilers.

HB 681, An Act relative to the salary of, and amount of fees collected by, the register of deeds for Grafton county.

HB 728, An Act relating to full time employees of approved public academies.

SB 118, An Act authorizing the town of Hampton to increase the maximum salary of the Hampton District court.

HB 298, An Act to allow children to work in certain occupations other than farm or domestic labor.

HB 264, An Act to authorize payment of twenty thousand dollars as state's contribution to costs of modification and maintenance of New England Exhibit of World's Fair.

HB 285, An Act relating to an additional bounty on porcupines.

HB 412, An Act relative to fees for inspection of weights and measures.

HB 414, An Act to commemorate the New Hampshire National Guard.

HB 456, An Act to provide voluntary identification cards for sale of alcoholic beverages.

HB 484, An Act relative to minimum wages of employees in public works.

HB 602, An Act relating to the sale of insurance.

HB 604, An Act to increase the membership of the Manchester board of health.

HB 705, An Act relative to representative town meeting government.

HB 416, An Act providing adequate representation for indigent defendants in criminal cases.

Eda C. Martin
For the Committee

The report was accepted.

(Recess)

The Senate re-assembled.

Introduction of Guests

As the guest of Senator Gove, Miss Susan Lyster of Concord, N. H.

As the guest of Senator O'Gara, her son Emmet, and his friend Rick Dunn.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 327, relative to the taking, sale, possession, and transportation of lobsters and crabs. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first eleven lines and inserting in place thereof the following:

1 Lobsters and Crabs, Taking. Amend RSA 211:61 as amended by 1957, 251:1 by striking out said section and inserting in place thereof the following:

The Senate voted to concur.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 716, relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation. And requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House of Representatives: Angus of Claremont; Stevenson of Bethlehem; and Bednar of Hudson.

On motion of Senator Lamontagne, the Senate voted to accede to the request of the House.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Saggiotes and Martel.

The Message also stated that the House has voted to concur with the Honorable Senate in the passage of the following concurrent resolution:

Concurrent Resolution securing rights and benefits to authors.

The Message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendment to the following entitled bill:

HB 747, relative to the charter of the city of Manchester.

On motion of Senator Foley, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 660, relative to a study for an east-west highway.

Third Reading & Final Passage of Bills

HB 660, relative to a study for an east-west highway.

On motion of Senator Hunter, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

SB 112, relative to the powers and duties of aeronautics commission.

Third Reading & Final Passage of Bills

SB 112, relative to the powers and duties of aeronautics commission.

On motion of Senator Tufts, the rules were suspended to place the following entitled joint resolution on third reading and final passage at the present time:

HJR 46, to establish an interim study on uniform vehicle laws.

Third Reading & Final Passage of Bills

HJR 46, to establish an interim study on uniform vehicle laws.

On motion of Senator O'Gara, the rules were suspended to place the following entitled joint resolution on third reading and final passage at the present time:

HJR 47, in favor of Albert D. Clarke and Ida M. Clarke.

Third Reading & Final Passage of Bills

HJR 47, in favor of Albert D. Clarke and Ida M. Clarke.

On motion of Senator Waterhouse, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 592, providing additional retirement allowances for certain retired state employees.

Third Reading & Final Passage of Bills

HB 592, providing additional retirement allowances for certain retired state employees.

On motion of Senator Provost, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 396, to provide a procedure for final payment to contractors on public contracts.

Third Reading & Final Passage of Bills

HB 396, to provide a procedure for final payment to contractors on public contracts.

On motion of Senator Green, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 339, relative to legislative mileage allowances.

Third Reading & Final Passage of Bills

HB 339, relative to legislative mileage allowances.

On motion of Senator Rinden, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 2, to authorize the payment of money from unclaimed estates into the general fund.

Third Reading & Final Passage of Bills

HB 2, to authorize the payment of money from unclaimed estates into the general fund.

On motion of Senator Buchanan, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 228, making an appropriation for the replacement navigation aids and other purposes.

Third Reading & Final Passage of Bills

HB 228, making an appropriation for the replacement of navigation aids and other purposes.

On motion of Senator English, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 37, relative to the relocation of a portion of the Central New Hampshire turnpike.

Third Reading & Final Passage of Bills

HB 37, relative to the relocation of a portion of the Central New Hampshire turnpike.

On motion of Senator Blaisdell, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 438, to increase the guarantee limits and powers of the Industrial Park Authority.

Third Reading & Final Passage of Bills

HB 438, to increase the guarantee limits and powers of the Industrial Park Authority.

On motion of Senator Gardner, the rules were suspended to permit introduction of two committee reports not previously advertised in the Journal.

Committee Report

Senator Gardner, for the Committee on Public Health, Welfare & State Institutions:

HB 787, to authorize seeing eye dogs to accompany their masters into public eating places.

Senator Gardner: "The title explains the bill."

The bill was ordered to a third reading.

Senator Gardner, for the Committee on Public Health, Welfare & State Institutions:

HB 738, permitting state, county and towns to require certain recipients of welfare to perform labor for the state, county or town government.

Senator Gardner: "This bill permits the director of the division of welfare to require persons receiving aid who are physically able, to work for the state at any job which the state has available that is within the capacity of the persons receiving assistance. There was no opposition."

The bill was ordered to a third reading.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 121, relating to the bounty on bobcats. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1 Bounty. Amend RSA 470:5 (supp) as amended by 1961, 244:1 and 1963, 226:1 by striking out said section and inserting in place thereof the following:

The Senate voted to concur.

Committee of Conference Report

The Committee of Conference to whom was referred HJR 19, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence with the Senate amendments and concur with the Senate in the passage of the resolution.

Senator Johnson, Dist. No. 5
Senator Blaisdell, Dist. No. 10
Conferees on the Part of the Senate

Mrs. DeLude of Unity
Mr. O'Neil of Chesterfield
Mrs. Scott-Craig of Hanover
Conferees on the Part of the House

On motion of Senator English, the Senate voted to concur.

Senator English presiding.

Committee of Conference Report

The Committee of Conference to whom was referred HB 716, An Act relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence with the Senate amendment; and that the Senate recede from

its position in adopting the Senate amendment; and that the House and Senate concur in the adoption of the following amendments and the passage of the bill.

Amend the bill by striking out section 2 and inserting in its place the following:

2 Appeal Tribunal Member Per Diem. Amend paragraph (2) of subsection C of RSA 282:5 (supp) as amended by 1955, 77:1; 1961, 88:12 and 1965, 208:7, by striking out said paragraph and inserting in place thereof the following: (2) Tenure. The appointed members shall serve at the pleasure of the commissioner and shall be paid thirty dollars for each day or any part thereof during which they perform services at the request of the commissioner, and shall be reimbursed for all expenses determined by the commissioner to be necessary to the performance of their duties.

Further amend the bill by adding a new section as follows:

3 Referral to the Advisory Council on Unemployment Compensation. The problem of disqualifications from unemployment compensation of pregnant females and its proposed solution as offered by an amendment to House Bill 716 of this session of the general court and as printed in the house journal of Friday, June 25, 1965 on pages 2359-2360 is hereby referred to the Advisory Council on Unemployment Compensation for study. The council is ordered to report its findings and recommendations on the problem to the 1967 assembly of the General Court by December 31, 1966.

Further amend the bill by renumbering section 3 to read 4.

James A. Saggiotes
Louis Israel Martel
Conferees on the Part of the Senate

George A. Angus
Malcolm Stevenson
John M. Bednar
Conferees on the Part of the House

On motion of Senator Foley, the Senate voted to adopt the report of Committee of Conference.

Committee of Conference Report

The Committee of Conference to whom was referred HB 213, relative to the salaries of county attorneys, having considered the same report the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence with the Senate amendments and that the House and Senate concur on the following amendment and passage of the bill.

Amend section 1 of the bill by striking out after the words, In Rockingham, the words "six thousand" and inserting in their place the word forty-five; and by striking out after the words, In Sullivan, the words, four thousand and inserting in their place the words, thirty-five hundred so that the section is amended to read:

1 Salaries of County Attorneys. Amend RSA 7:35 (supp) as amended by 1955, 247:2; 1957, 34:1; 211:1; 1959, 6:1, 1961; 107:1; 208:1; 1963, 95:1; 1965, 329:1, by striking out the section and inserting in its place the following:

7:35 Salaries. The annual salaries of the county attorneys in the several counties are as follows:

In Hillsborough, county attorney, seventy-five hundred dollars.

Assistant county attorney, thirty-five hundred dollars.

In Rockingham, forty-five hundred dollars.

In Merrimack, four thousand dollars.

In Strafford, thirty-five hundred dollars.

In Cheshire, three thousand dollars.

In Grafton, five thousand dollars.

In Coos, three thousand dollars.

In Sullivan, thirty-five hundred dollars.

In Belknap, four thousand dollars.

In Carroll, three thousand dollars.

Senator Foley of Dist. No. 24

Senator Saggiotes of Dist. No. 8

Conferees on the Part of the Senate

Mr. Langford of Raymond

Mr. Hood of Plainfield

Mr. Palmer of Kensington

Conferees on the Part of the House

On motion of Senator Saggiotes, the Senate voted to adopt the report of Committee of Conference.

On motion of Senator Green, The Senate voted to take House Bill No. 751, relative to state flags, off the table.

On motion of Senator Green, the following amendment was adopted:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 State Flags. Amend RSA 573 by inserting after section 9 the following new section: 573:10 Repossession of State Flags. Any state flag that has been presented in behalf of the state of New Hampshire to any person, group or organization and which is being used in a manner in violation of any of the provisions of this chapter, shall be delivered upon request of the governor to him or his authorized agent. Any person failing to surrender a state flag under the provisions of this section, shall be fined not more than fifty dollars, or imprisoned not more than thirty days, or both.

The bill was ordered to a third reading.

Senator Lamprey presiding.

On motion of Senator Saggiotes, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 751, relative to state flags.

Third Reading & Final Passage of Bills

HB 751, relative to state flags.

On motion of Senator Blaisdell, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Senator Blaisdell, for the Committee on Fish & Game: HB 32, relative to time for taking deer. Ought to pass.

Senator Blaisdell: "Mr. President, I in no way retreat from my position last week when I stated that the southern New Hampshire season is too long but I will tell you this. I have learned, since January, that you have to give a little and take a

little. Out of respect to the Senator from the 1st District, the Senator from the 2nd District, and the Senator from the 3rd District, I move that this bill ought to pass."

Senator Buchanan: "Would the Senator from the 10th District yield to a question? I would like to know what Senator Riley's opinion is of this bill."

Senator Riley: "Mr. President, this is a compromise. This is not what the southern and northern sportsmen want. It seems we have a department in the state which doesn't seem to have any official policy to guide the Legislature in this field. One game warden says there are plenty of deer and another warden says differently. I am concurring with this bill although I am not enthusiastic about it. I think that at the present time, it is a reasonable compromise among the people in the state. I urge you to vote for its adoption."

Senator Green: "I would like to go on record as not supporting this bill. HB 32 is objectionable: (1) because it provides for an earlier starting date, opposed by sportsmen, farmers and lumber operators throughout the southern half of the State, and (2) because it does not shorten the season or provide relief for our southern deer herd. Camp and motel owners will not receive additional business from an earlier starting date as long as the season opens state-wide on the same day. The only reasonable solution to the camp and motel owners' problems, to our farm and lumber operators' problems and to the needs of our deer herd is a split-season with November hunting in the North Country and a short December season in the southern section."

Senator English: "There are two aspects that bother me. One affects the south and one the north. As far as the people in the southern part of the state are concerned, they have indeed been willing to go along with the people in the North and try to keep the desires of both sections in harmony. I want particularly to speak for a group. They are the mothers of children in the southern part of the state who are extremely concerned during the entire season. The children are in constant danger. This group is sometimes forgotten. About the northern section—I may be wrong but I believe that if this bill passes, you are going to have a line in the next session of the Legislature. If you want to take that risk, then vote for this bill."

Senator Hunter: "I would like to make plain that a great deal of time has gone into trying to satisfy many groups. Now of course the time of operating the deer season is of the essence. The people in the southern part have gardens and they have cows out which are used as targets. Even dogs are targets. This was brought out in the hearings and so we made it disastrous for anyone to shoot an animal that is domesticated. We know that the people in the north had a poor season last year but not entirely due to the deer season. It was partly due to the general trend. I can agree that due to weather conditions and perhaps less money available, cabins and hunting lodges lost money. This was all taken into consideration. The result is another compromise which is shortening the season in the south and because we wanted to protect the herd, we would have been satisfied with taking off a week at the other end. The south does not need that extra week. However, much thought has gone into this compromise and we tried to give everyone an opportunity to express his views. This is the best thing we can come up with and so we would think that in view of the shortness of time, you should accept this as the best compromise. If you have any questions, I would be glad to try and answer them."

Senator Lamontagne: "I am glad to support the compromise from the Fish & Game Committee. The original bill was what I actually wanted but a compromise is always acceptable. As far as a deer line if we go through with this, I say 'no'. We will not have a deer line. This one season has already proven to us that in the southern part of the state, there are not as many hunters as when they had two seasons. When there was a deer line between the north and south, all the people were crowding into the south and with more hunters, more deer got killed and the woods were crowded. With one season, the deer kill will be greater in the north because the people from the south will still want to go hunting where they hunted before when there was a deer line or even last year. The bird hunters in the south claim that it is going to hurt the bird season. I say it isn't going to. Again it means you are going to have fewer hunters here in the south. The Timberland Association has opened up the woods and this has certainly made a lot of room for a lot more people to come and hunt. This compromise will prove that there will be more deer killed in the north than in the south and not because the south has a shortage of deer. It is because the deer herd is a lot healthier than it was last year."

Senator Martin: "I rise in support of House Bill 32. This deer bill probably means more to my district than to any other part of the state. I am the Senator from the most northern part of the state. It is in the north that we have the camps and as I have said before, the snow comes earlier up there and the cold weather comes earlier. This is a compromise. It is not what they really want in the north but they will be satisfied if you allow them to start on November 10 and run through the first Sunday in December. I certainly am in favor of this bill and as I have said on the floor of the Senate before, it is the livelihood of many of the people in the small towns. They depend on the deer season to rent their camps and the guides earn their living this way. I would ask that you please go along with this and help the people of the very northernmost part of the state because their bread and butter depends on it."

On motion of Senator Blaisdell, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

House Bill 32, relative to time for taking deer.

Third Reading & Final Passage of Bills

HB 32, relative to time for taking deer.

On motion of Senator Martin, the Senate refused to reconsider its vote on the above-entitled bill.

On motion of Senator Waterhouse, the rules were suspended to dispense with public hearing and introduction of committee report not previously advertised in the Journal,

Committee Report

Senator Waterhouse, for the Committee on Ways & Means:

HB 792, to establish a reapportionment for the assessment of public taxes.

Senator Waterhouse: "This is a routine bill that appears at every session of the Legislature, passed since 1789. This is what determines our borrowing capacity, it sets our county tax, TRA roads. I urge its adoption."

On motion of Senator Mitchell, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 792, to establish a reapportionment for the assessment of public taxes.

Third Reading & Final Passage of Bills

HB 792, to establish a reapportionment for the assessment of public taxes.

Committee Report

Senator Rinden, for the Committee on Judiciary:

HB 539, relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack County. Ought to pass with amendment.

Amend the bill by striking out section 6 and inserting in place thereof the following new section.

6 Application of Statutes. The provisions of RSA 478:17 relative to fees for register of deeds shall not apply to the register of deeds for Merrimack County.

Further amend the bill by inserting after section 6 the following new section:

7 Merrimack County Commissioners. Amend RSA 28:28 (supp), as amended by 1955, 247:4 and 269:1, 1957, 182:1 and 246:1, 1961, 80:1, 157:1, 210:1, and 1963, 94:1 and 329:2, by striking out the words "In Merrimack, two thousand dollars" and inserting in place thereof the words, In Merrimack, twenty-five hundred dollars, so that said section as amended shall read as follows: 28:28 Commissioners. The annual salary of each commissioner of the following counties shall be as follows: payable monthly by the county:

In Rockingham, three thousand dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, twenty-five hundred dollars.

In Hillsborough, forty-five hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Further amend the bill by renumbering section 7 to read section 8.

Senator Rinden: "This is a bill which places the Register of Deeds in Merrimack County partially on salary. It sets up a basic salary with gradation based on years of service. The Register of Deeds gets more salary as she becomes more experienced. Under this term, the Register of Deeds will receive the same as she is now receiving, between 10 and 11 thousand dollars a year. In addition to the salary of the Register of Deeds, the bill provides for an increase of the County Commissioners' salary from \$2000 to \$2500. Merrimack is the third largest county and pays one thousand dollars less than Rockingham and twenty-five hundred less than Hillsborough. This is a slight increase which is long overdue. I think that pretty much covers the terms of the bill. The salary of the Register of Deeds has received the approval of the Merrimack County Delegation. The county commissioners' increase was proposed through me for Commissioner Ray Perkins and it has the support of the sponsor of the original bill."

Senator Howard: "I would like to say that I would heartily support this bill."

Senator Rinden: "I also want to say that I am sure you all know this money comes from the county and not from the state."

On motion of Senator Howard, the amendment was adopted and the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 539, relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack county.

Third Reading & Final Passage of Bills

HB 539, relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack county.

On motion of Senator Buchanan, the Senate voted to take House Bill 736, to regulate the recording of deeds in subdivision of land plats, from the table.

Senator Buchanan: "This bill provides that within communities which have planning boards, any subdivisions which are created without prior approval of the planning boards and a developer sells one or more lots without this approval, he shall be fined not more than \$100 for each parcel sold; furthermore, any deed recorded shall be without effect and shall convey no interest therein. This is in the nature of a housekeeping bill and tightens up some of the loose ends with respect to subdivisions."

Senator Hunter: "Knowing that there are several instances where it is not required in certain towns to consider land that is adjacent to a highway, I wonder if this would supersede that local option."

Senator Buchanan: "Is there a planning board?"

Senator Hunter: "Yes."

Senator Buchanan: "To quote from the bill — 'whoever, being the owner or agent of the owner of any land, creates a subdivision without the approval of the planning board, shall be fined not more than one hundred dollars for each lot or parcel sold in said subdivision.'"

Senator Hunter: "We have a condition in our little town that it was agreed by the selectmen and the planning board that land which borders a public highway is not considered a subdivision unless the land is 150 feet from the present highway which very often gives the sub-divider an opportunity to sell that land adjacent to a highway to obtain funds to continue his subdivision work. Consequently, I would question that this would permit that action any longer. I just wonder if we should not give some consideration to an amendment and I would be glad to write one if the member will agree. I ask that this be laid on the table or that we get a special order of business for it."

The Chair would state that we cannot lay it on the table at this time.

Senator Waterhouse: "Planning boards have nothing whatsoever to say about a single lot sale along the highway. Going

onto back lots is subdivision and I think this bill refers to subdivision. When it is along the road, it is not subdivision as I understand it."

Senator Buchanan: "In talking with the sponsor, he indicated he was referring to subdivisions as in the case of a farmer who subdivides his land without receiving prior approval."

Senator Hunter: "I am certain that this will make a problem with the ruling we operate under."

Senator Waterhouse: "I cannot conceive of a planning board not having the authority as far as subdivision is concerned. This bill just relates to subdividing without approval of the planning boards."

Senator Hunter: "Perhaps this is picayune but I know it will be a problem to me in my town."

On motion of Senator Tufts, House Bill 736, to regulate the recording of deeds in subdivision of land plats, was made a Special Order of Business for Thursday at 11:02.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Departments, Municipal and County Governments:

HB 788, providing that the sheriff shall have custody of the jail in his county. Ought to pass with amendment.

Senator Buchanan: "Mr. President, this bill in its original form, and the amendment does not affect this, provides that the custody of the jail and House of Correction in Rockingham County will be with the sheriff and he will be charged with the responsibility for the prisoners therein. Previous to this time, there have been instances where the superintendent of the county home was charged with the care and protection of the prisoners and from time to time, the prisoners have taken advantage of the superintendent and 'gone over the hill'. This puts the burden on the sheriff who is a law enforcement officer and whose responsibility it is to take care of these guest of the county. The amendment simply spells out certain fees which

shall be payable to the sheriff and the deputy sheriff and the expense involved in attending each day of session of Superior Court. This is the essence of the bill.

Senator Bergeron: "How many sheriffs does this affect? Does it affect Strafford County?"

Senator Buchanan: "I wouldn't be surprised as the lady who asked for the amendment is from Strafford County. This amendment pays the \$22.00 a day for actual attendance at each day's session of Superior Court."

On motion of Senator Buchanan, the amendment was adopted and the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 788, providing that the sheriff shall have custody of the jail in his county.

Third Reading & Final Passage of Bills

HB 788, providing that the sheriff shall have custody of the jail in his county.

Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 601, relative to licensing of dogs, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence and the Senate recede from its position in adopting its amendments, and that the House and Senate concur in the passage of the bill.

Senator Buchanan, District 12
Senator Provost, District 18
Conferees on the Part of the Senate

Mr. Cole of Swanzey
Mr. Barker of Stratham
Mr. Coffin of Somersworth
Conferees on the Part of the House

On motion of Senator Howard, the Senate voted to adopt the report of the Committee of Conference.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills: HB 404, relating to district and municipal courts. Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the 22d and 23d lines and inserting in place thereof the following:

jurisdiction with the superior court by paragraphs II and III hereof

The Senate voted to concur.

On motion of Senator Buchanan, the rules were suspended to permit introduction of committee report not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Departments, Municipal and County Governments: HB 771, to legalize the proceedings of the annual town meetings at the town of Waterville on May 5, 1962; May 18, 1963; May 16, 1964, and March 13, 1965. Ought to pass with amendment.

Amend the title of the bill by adding at the end thereof the following, and to regulate election day activities, so that said title as amended shall read as follows:

An Act to legalize the proceedings of the annual town meetings of Waterville on May 5, 1962; May 18, 1963; May 16, 1964; and March 13, 1965 and to regulate election day activities.

Further amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2 Prohibited Electioneering Acts. Amend RSA 59:125 by designating the existing paragraph as paragraph I. Further amend the section by adding the following new paragraphs:

II. While the polls are open a person who is representing or working for a candidate or a political party, or working for or against any referendum question shall not do any electioneering and shall not loiter within the polling place or within three hundred feet from the polling place in any public street

or in a public manner. The term "electioneering" as used in this section includes, but is not limited to, the distribution of cards and the display of political banners, posters, and placards.

III. A person who is a candidate for office may not distribute cards nor display political banners, posters, and placards within three hundred feet from the polling place, provided, however, that such banners, posters, and placards may be displayed on private property or on motor vehicles transporting voters to and from the polls within said three hundred feet. Nothing in this paragraph or in paragraph II of this section prohibits a candidate for office from being present at or within three hundred feet of the polling place, nor from wearing campaign buttons or an identification card, nor from greeting or talking with voters. Nothing in this section prohibits a candidate for office or any other person from voting.

IV. The moderator may call upon any peace officer to aid in the enforcement of this section. The moderator shall cause notices to be posted in all public ways adjacent to the polling place showing the limits within which this section applies.

3. Takes Effect. Section 1 of this act shall take effect upon its passage. Section 2 of this act shall take effect sixty days after its passage.

Senator Buchanan: "Mr. President, the first part of the bill is the usual legalizing bill for Waterville where they had some question with respect to posting of the warrant. The second part of the bill is the amendment and the important part. A bill similar to this passed the Senate earlier in the session and was rejected by the other body because they objected to the fact that the bill was not specific enough. This bill now provides that there can be no electioneering within 300 feet of a polling place. There will be no distribution of cards or other literature by the candidate or anyone working for him. This satisfies some of the objections which were made in the House when it was brought up there earlier in the session."

Senator Blaisdell: "Who decides how far 300 feet is?"

Senator Buchanan: "The moderator. There is also a provision for the moderator to call upon police to enforce this."

Senator Mitchell: "I would like this made a special order for tomorrow."

Senator Buchanan called for division and the motion was lost.

The bill was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Buchanan, for the Committee on Executive Departments, Municipal and County Governments:

HB 790, legalizing the proceedings of the annual town meeting held in the town of Epping. Ought to pass with amendment.

Amend the title of the bill by inserting at the end the following, and authorizing an increase or decrease in the board of selectmen, so that said title as amended shall read as follows:

An Act legalizing the proceedings of the annual town meeting held in the town of Epping and authorizing an increase or decrease in the board of selectmen.

Further amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2. Increase and Decrease Authorized. Amend RSA 41:8 by adding the following new section: RSA 41:8-a Grant of Power. Any town with a population of five thousand or over may, at any annual meeting, under an article in the warrant for said meeting, vote to have a board of selectmen consisting of three, six, or nine members, as it shall determine by a majority ballot vote, pursuant to RSA 51:12-a, and at the same time as that prescribed for the election of town officers. Said question shall be placed on the same ballot as that used for the election of town officers. Any such town, having a board of six or nine members, may vote to decrease the membership of said board in the same manner as it voted to increase said board, and in that case, said voters in the town shall determine by ballot vote what number of members shall be elected to the board each year to fill vacancies, so that the board will decrease an equal number each year until it shall be composed of only six or three members.

3. Takes Effect. Section 1 of this act shall take effect upon its passage. Section 2 of this act shall take effect sixty days after its passage.

Senator Buchanan: "The bill itself will simply legalize the proceedings of the town meeting in Epping and the amendment provides permissive legislation, and I emphasize permissive, to towns of more than 5,000 if they wish to vote to have a Board of Selectmen consisting of 3, 6, or 9 as determined by a majority ballot. The reason for this is that these towns are growing and in effect we passed legislation authorizing a referendum in the town of Exeter to become a city if they wish. This is in consonance with this because it will allow large towns to increase the board of selectmen in order to help in the increasing work loads. I might add there was no opposition at the hearing and I believe it was a selectmen who appeared and provided us with the necessary papers."

Senator Tufts: "I believe a Mr. Prue was present to oppose this."

Senator Buchanan: "Possibly at the House hearing but not at the Senate hearing."

Bill ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

(Senator English presiding)

Committee Report

Senator Buchanan, for the Committee on Banks, Insurance & Claims:

HB 745, to amend the law relating to real estate brokers and salesmen. Ought to pass.

Senator Buchanan: "This is a bill which has to do with real estate brokers and salesmen. I will defer to Senator Lamprey."

Senator Lamprey: "Mr. President, this is a housekeeping bill. Actually, this requires that a roster be printed of all real estate salesmen in the State of New Hampshire. It also adds words to the effect that an applicant for a license must be a per-

son of public confidence. I think this is a step in the right direction. Each salesman and broker will be required to have a card for identification purposes. There is an appropriation of \$1200 with this bill; however at the present time we are spending about \$6500 in that department and taking in about \$51,000.

On motion of Senator Lamprey, the rules were suspended to dispense with further referral to Finance and the bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 745, to amend the law relating to real estate brokers and salesmen.

(Senator Lamprey Presiding)

On motion of Senator Howard, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Howard for the Committee on Finance: HB 796, providing for additional appropriations to meet certain contractual deficiencies. Ought to pass.

Senator Howard: "When the Appropriations Committee in the House appropriated certain moneys for certain departments, they used the figures which they thought were right at that time. Since that time, they have the actual figures from the Governor's office. They had appropriated \$28,494.63 and this will take the money back and put it where it belongs."

The bill was ordered to a third reading.

On motion of Senator Howard, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 796, providing for additional appropriations to meet certain contractual deficiencies.

On motion of Senator Gove, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Gove for the Committee on Public Works & Transportation: HB 373, relating to period of lighting of vehicles. Ought to pass.

Senator Gove: "This is a housekeeping bill. It does what it says. It relates to the period of lighting of vehicles. In our present statute, it provides that 'this shall not apply to any vehicle which is designed to be propelled by hand, or to any vehicle designed for and transporting hay or straw, or to any motor vehicle' which is a ridiculous phrase. This just provides a simple statute for lighting vehicles one-half hour after sunset to one-half hour before sunrise."

The bill was ordered to a third reading.

On motion of Senator Gove, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 373, relating to period of lighting of vehicles.

On motion of Senator English, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator English, for Committee on Education: HB 78, to aid a program for the talented student. Ought to pass.

Senator English: "This is cut down from a rather extensive bill to assist talented students. The money has vanished from it and some of the other provisions, but it does include an important point whereby some of these talented students may be used for necessary research work and other matters at the University."

The bill was ordered to a third reading.

On motion of Senator English, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 678, to aid a program for the talented student.

On motion of Senator English, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator English for the Committee on Education: HB 374, to clarify the area school plan and the law relating to the school building authority. Ought to pass.

Senator English: "I hesitate to use the word housekeeping, but this has to do with adjustments of the area school plan and takes care of some technical matters and it has the full approval of those who were at the hearing and concerned with this matter. This bill has a House amendment on it and the amendment is not too tightly related. It has to do with the Tilton-Northfield Union School District. The Senator from the 7th District is aware of this and approves of this amendment which provides for the Tilton-Northfield Union School District to form a co-operative school."

The bill was ordered to a third reading.

On motion of Senator English, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 374, to clarify the area school plan and the law relating to the school building authority.

Bill Taken from the Table

On motion of Senator Gardner, the following entitled bill was taken from the table:

HB 500, relating to hospital survey and construction.

Senator Martel offered the following amendment and moved reading of the amendment be dispensed with:

Amend the bill by striking out section 2 and inserting in place thereof the following new section:

2 Establishment of Councils. Amend RSA 152:5 by striking out the section and inserting in its place the following:

152:5 Hospital Advisory Councils. The governor and council shall establish and appoint such advisory councils as may be necessary from time to time to meet requirements under the federal act.

Senator Martel spoke in favor of the amendment: "I speak in favor and support of this amendment. As you recall, my colleagues, a short time ago we voted to recall from the Governor's desk HB 500 which would provide, among other things, that New Hampshire would place itself in compliance with the Federal Act, Public Laws 164 and 443 of the 88th Congress, and any other Federal act providing grants to construction of hospitals as they are defined in paragraph 4 of this section. The other sections in the bill stated that the Advisory Commission of Health and Welfare would establish and appoint such advisory councils as may be necessary from time to time to meet requirements under the Federal Act. I am referring to the hospital advisory councils. This is apparently necessary for us to come into compliance with Federal regulation if we are to be able to make use of Federal funds. The distinction between the amendment and the original bill is that the Governor and Council make the appointment. Now, Mr. President, I note that HB 500 has been introduced by Mrs. Donnelly and Mr. Hickey of Dover. Everyone of us is familiar with the fact that His Excellency and the representative from Dover — I am referring to Mrs. Donnelly in particular; I know not much of Mr. Hickey — have been at odds over the past months about how the business of the Health and Welfare Department should be conducted. I do not take issue with the representative from Dover. She is entitled to her viewpoint. Only we do know these two personalities have been at odds over the past months. I am convinced, Mr. President, beyond a shadow of a doubt that if we had not become involved during this session over these Health and Welfare problems there would be no problem insofar as we are concerned in leaving the appointive powers with the Governor and Coun-

cil. I have no doubt whatsoever about that, Mr. President. We should be primarily concerned with the good and efficient operation of that department. Up to now there has been no question but that normally appointive powers rest with the Governor and Council. Now why should we depart from that tradition? Speaking for the Governor, let me simply state what he stated earlier on other occasions. 'Our Commission system of government in New Hampshire has traditionally operated on the principle of utilizing state commissions appointed by the governor and council.' Let me state this, Mr. President, the Governor stated repeatedly that he will refuse to sign into law any bill that attempts to dilute and violate the Constitutional position of the office of Governor and he intends to maintain that position. Aside from his personal opinion on the matter; aside from the opinion of the representative from Dover, the two representatives who have introduced this, it would seem to me the only constructive step for us to take at this time would be to allow the Governor and Council to appoint this hospital advisory council. Do you think it wise at this late stage of the game to change procedures which we have always followed in past sessions? I don't think so. I respectfully urge everyone of my colleagues to support the amendment which we offer at this time."

Senator Gardner spoke in opposition to the amendment: "I am opposed to the amendment offered by the Senator from the 17th District. This bill passed the House and the Senate without a dissenting vote. No one appeared in opposition to HB 500 at the public hearing. The act is an amendment to the Hill-Burton Act, now the Hill-Harris Act. As I stated before, this amendment was passed by Congress to include a consumer council. In other words, there must be included an equal number of consumers. Members of the Advisory Commission on Health and Welfare do not meet this requirement. The Federal government does not care who appoints this council. I will read Article 46, Part II of the State Constitution. [Read the aforementioned Article.] These are the appointive powers given to the Governor under the Constitution of New Hampshire. All other appointive powers the Governor possesses have been given to him by this Legislature. There is another requirement in this Hill-Harris Act. That is the establishment of minimum standards. I doubt if this amendment is passed whether the Governor and Council can establish these standards, therefore,

the funds would be in jeopardy. Under 124:4, it would not appear that this power is included. The question here is not the merits of the bill. We have all recognized that feature when the bill passed both Houses. The question here is whether or not this legislative body wishes to pass along more of its legislative power to the Executive Branch of the government. The decision is squarely up to you. I was asked by the Senator from the 17th District if there were a Republican Governor in the chair if I would vote the same way. I say yes. I feel we have given the Governor a great many powers that belong to the legislative branch in the last few years and I don't approve of it."

Senator Johnson spoke in opposition to the amendment: "It would seem to me there is an important element here in this bill that was also present in HB 330 which has been vetoed and is now in the House. As a bill is going through, it seems to me there is some obligation on the part of the Executive Branch to speak up. As Senator Gardner pointed out, we all recognize this is an important piece of legislation, helpful to the State of New Hampshire. We are all for it. Just as in the case of HB 330, relating to the licensing of child-caring agencies and the establishment of an advisory committee, it seems to me we should not have to have a bill vetoed to find out for the first time that the bill is not satisfactory. In this case, the bill was withdrawn because of a veto threat at the request of the Senator from the 17th District to bring it back. The fact remains that this bill, introduced early in the session, went all the way through. We haven't heard from the Governor. Frankly, I am a little weary, a little bit tired of hearing a veto threat. Only a few days ago we had a person from the Governor's office come to the Senate Finance Committee and tell us if we passed a water pollution bill it would be vetoed. We passed it and it is now signed into law. It seems to me this idea of a veto threat gets to be tiresome when it is made too often. Yesterday there was also a threat of a veto of the Capital Budget unless certain pet projects of the Governor were included in the Capital Budget. Here again, it had the opposite effect on me personally. This concept of allowing the Governor and Council alone to make the appointment — I would point out there has been a bill introduced this session which expands the Board of Trustees at the University of New Hampshire. We added two new persons to the Board of Trustees of New Hampshire. Who appoints these persons? Not the Governor. They are elected by the persons who are the

alumni body of the University. We have, right in this session, ample precedent to indicate the Governor does not appoint all members of boards; does not appoint all persons who serve on executive-type boards. As you go into the legislative type of board, like Legislative Council, this board is appointed by the Speaker, the President and the Governor. But the majority of those on that Council are from the Senate and House. There is ample precedent, it seems to me, for us to point out that the Governor is not having any of his powers taken away from him because he has agreed to it in the past. We can ask ourselves why this particular bill involving an advisory council and HB 330 seem to be taking power away from the chief executive. This advisory council for hospitals would be called upon to work very closely with the Advisory Board on Health and Welfare. It seems to me a very wise thing to have this board made up of people who are named in turn by the group they will have to work with. This is an important phase of good government. When we were drafting the health and welfare bill, a portion of that bill gives the power to have the divisions chiefs name the boards to assist them. Why do we want this? Because people working in a particular area have the desire to reach out and get other people of ability to assist them and advise them. This is no attempt to take away power from the Governor. It simply is trying to say, let's pull together in New Hampshire and do the best job possible to make our program of government work. It is unfortunate that the veto threat comes in so late but there is ample precedent this very session that the people named to the Board of Trustees are elected and not named by the Governor and I think it makes sense to have the advisory commission be the persons who appoint this special board which will work closely with them in the State."

Question being on the adoption of the amendment offered by Senator Martel.

Senator Blaisdell demanded a Roll Call.

The following named Senators voted in the affirmative: Lamontagne, Blaisdell, Riley, Martel, Foley.

The following named Senators voted in the negative: Martin, Mitchell, Johnson, Gardner, Howard, Saggiotes, Gove, English, Buchanan, Rinden, Green, Provost, Waterhouse, Bergeron, O'Gara, Tufts, Hunter.

Five Senators having voted in the affirmative, and seventeen Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

The bill was ordered to a third reading.

On motion of Senator Howard, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 500, relating to hospital survey and construction.

On motion of Senator Gardner, the Senate refused to reconsider its vote on the above-entitled bill.

Senator Martin presiding.

House Message — First & Second Reading of Concurrent Resolution

Concurrent Resolution Number Two Proposing a Constitutional Amendment to Have the Legislature Meet Annually. Referred to Judiciary.

On motion of Senator Buchanan, reading of the Concurrent Resolution was dispensed with.

Concurrent Resolution Proposing a Constitutional Amendment to have the Legislature Meet Annually.

Be it Resolved by the House of Representatives, the Senate Concurring that the Constitution of New Hampshire be amended as follows:

I. That Article 3 of Part Second of the Constitution of New Hampshire be amended by striking out the entire article and inserting in place thereof the following new article:

Art. 3d. General Court, When to Meet and Dissolve. The senate and house shall assemble annually on the first Wednesday in January and at such other times as they may judge necessary; and shall dissolve and be dissolved, seven days next preceding the first Wednesday of January in the odd numbered years and shall be styled THE GENERAL COURT OF NEW HAMPSHIRE.

II. That Article 15 of Part Second of the Constitution be amended by striking out the entire article and inserting in place thereof the following new article:

Art. 15th. Compensation of the Legislature. The presiding officers of both houses of the legislature, shall severally receive out of the state treasury as compensation in full for their services for the term elected the sum of two hundred and fifty dollars, and all other members thereof, seasonably attending and not departing without license, the sum of two hundred dollars for the biennium and each member shall receive mileage for actual daily attendance on not more than ninety legislative days in any biennium; provided, however, that when a special session shall be called by the governor or by two-thirds vote of the then qualified members of each branch of the general court, such officers and members shall receive for attendance an additional compensation of three dollars per day for a period not exceeding fifteen days and the usual mileage.

Nothing herein shall prevent the payment of additional mileage to members attending committee meetings or on other legislative business on non-legislative days.

III. That Article 19 of Part Second of the Constitution of New Hampshire be amended by striking out the entire article and inserting in place thereof the following new article:

Art. 19th. Adjournment. The house of representatives shall have the power to adjourn themselves.

IV. RESOLVED, That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the regular biennial election to be held in November, 1966.

V. RESOLVED, That the selectmen of the several towns, cities, wards and places in the state are directed to insert in their warrants for the 1966 election an article to the following effect: To take the sense of the qualified voters whether the amendments of the constitution proposed by the 1965 session of the general court shall be approved.

VI. RESOLVED, That the sense of the qualified voters shall be taken by ballot upon the following question submitted to them by the general court:

1. Do you favor having the legislature meet in two annual sessions with a total limit of ninety days but no limit on time of adjournment?

VII. RESOLVED, That the secretary of state be required to print the question to be thus submitted on the same ballot that other constitutional questions proposed by the constitutional convention and general court are submitted. Upon the ballot containing the question shall be printed the word "Yes" with a square near it at the right hand of the question; and immediately below the word "Yes" shall be printed the word "No" with a square near it at the right hand of the question; and the voter desiring to vote upon the question shall make a cross in the square of his choice. If no cross is made in a square beside the question the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments Proposed by the Convention to Revise the Constitution and Amendments Proposed by the 1965 General Court" shall be added at the top of the ballot in bold type.

VIII. RESOLVED, That if the proposed amendment is approved by the requisite number of votes it becomes effective when its adoption is proclaimed by the Governor.

On motion of Senator Buchanan, the rules were suspended to dispense with referral to Committee, holding of public hearings, and the above-entitled bill was taken up at the present time.

On a *viva voce* vote, the motion to suspend the rules carried.

Senator Buchanan: "This Resolution which passed the House 291 to 22 is the Resolution for annual sessions and I think it is appropriate the sponsor of this Concurrent Resolution explain it to the Senate."

Senator English: "This provides for annual sessions and provides that they may be in session for a total of 90 days. Therefore, the amount of time which the Legislature would be in session remains the same. The question which is often raised is 'if we went to annual sessions it might last forever.' Therefore,

the total time will be the same as it is now, or within a day or so. A resolution will be coming up. It will provide for a study of the whole situation and make definite recommendations and will report on the first of July, 1966. The resolution, which is still in draft form, will require a report on a series of internal changes in the Legislature which would be designed to promote a practical operation. These recommendations, of course, would have to be accepted by the 1966 Legislature. Also, of course, the proposal for annual sessions must go on the ballot and be ratified by the people. This House version, which came in with the full approval of the Judiciary Committee and which was overwhelmingly passed, is basically the original proposal with the guidelines drawn very loosely — more loosely than I personally would like to see them. The resolution which should be forthcoming shortly would set up a committee to prepare guidelines under which the Legislature could operate efficiently.”

Senator Lamprey moved this Resolution be referred to the Judicial Council and spoke in favor of this Motion: “I cannot stand here as I did yesterday and suggest that the Concurrent Resolution that was proposed be referred to the Judicial Council and do it in good conscience and have this particular Concurrent Resolution referred to the Senate today, suspend all the rules on a change in the Constitution without the Senate ever having an opportunity through its committees to evaluate it. Any changes that are made to the Constitution should have the full judicial and legislative processes fulfilled before it is passed. I appreciate the fact that it is not Senator English’s fault that it has not come from the House earlier than this. But here we are within twenty-four hours of that much hoped for adjournment and the Concurrent Resolution is before the Senate. Therefore, I would hope that perhaps we would send this, together with the bill we sent yesterday, to the Judicial Council.”

Senator Buchanan spoke in opposition to the Motion: “I rise in opposition to the pending motion. I would state this is not something new. I find it hard to imagine that the distinguished President of this Body is as unfamiliar with the contents of this Resolution as he would lead us to believe. Surely this is a subject which has been discussed in these hallowed halls since memory runneth not to the contrary. At the same time, if ever there was a subject which has been discussed thoroughly in Constitutional Conventions, in the corridors and out-

side of this building throughout the State, I know not what it would be unless it could possibly be the deer season. I feel that this is a good Resolution. The concept of a three month session every year brings the State of New Hampshire into a realistic position. I cannot imagine a businessman with a roughly \$50 million a year budget trying to forecast it two years ahead. They certainly have all they can do to make a forecast of one year ahead. The State of New Hampshire has been on a biennial session basis for some years. I believe it was in 1878 this was instituted. I challenge virtually anybody to point out to me in what other ways the State of New Hampshire is now functioning as it was in the year 1878, nearly 90 years ago. It is true there are individuals who might prefer the present system. But I think the advantages to an annual session — and this is not partisan — obviously any bill, or any resolution, or anything which can pass the House of Representatives by the overwhelming margin which it enjoyed earlier this afternoon can hardly be called a partisan measure. I am confident that if given the opportunity to do so, this Resolution will pass with an equally overwhelming margin and that the people of our State will, in their wisdom, see fit to go along with a modernized, up-to-date 1965 or 1966 version of a State Legislative Assembly rather than the horse and buggy version of 1878.”

Senator Lamontagne spoke in opposition to the Motion: “I rise in opposition to the motion. I was a little offended that the Senator from District No. 11 left my name off the bill. I think that was in error. I think by having a three month session, it would be of more benefit to the different departments. If you have to estimate a budget for the second year, it certainly takes a lot of time and certainly you are doing a lot of guess work so far as budgeting. In the Constitutional Convention, I have supported the idea when it came up before the committees when I was a member of the Constitutional Convention. I always felt this was a good idea to have our annual meetings instead of meeting every two years as we have been for many years. Therefore, I urge defeat of the pending motion and support of the Resolution.”

Senator Johnson spoke in opposition to the Motion: “The issue has been raised this Resolution has not had adequate study. I made this point the other day on the Resolution which was put forward by Senator Foley. There is, of course, one major

difference and that is that with Senator Foley's resolution it was coming into this Body for the first time. The House had never even seen it whereas this Resolution had been in the House for a long period of time. The Senators have seen the Resolution and had a chance to know what was going on and to think intelligently about this. I don't think I should go through the arguments in favor of a single session except to say this. As you will recall, we were trying very hard to figure out what the estimates of revenue will be. The final solution which we reached on the University budget which is of the greatest importance to all of us was to take the \$750,000 out of next year's surplus. If we had annual sessions, we would not have to be guessing about a surplus. We would know if there was or was not a surplus. We had a debate on the cigarette tax, as to what its impact would be. We would know within a year what the impact would be. We had a debate on the beer tax as to what this might be. We would be back in a year to have evidence on that point. Logic tells me to say it would be better government for us to come back every year. Personally, in terms of interruption of your business or profession, it perhaps is better to take it all in one gulp and then go back for 18 months practicing your profession. So far as good government is concerned, I think it would be better to be here every year."

Senator Lamprey: "On question 1 'Do you favor having the legislature meet in two annual sessions with a total limit of ninety days but no limit on time of adjournment?' — what happens if we use up the 90 days in the first year of the session and we have few days left in the second? I can see this being a distinct possibility."

Senator Johnson: "I would think the leadership of the Senate and House, in their vast wisdom, would see to it we had two sessions of equal length."

Senator Blaisdell spoke in opposition to the Motion: "I rise in opposition to the Motion of Senator Lamprey. I have one hesitation. I think this would mean that the Senator from District No. 1 would be on the road twice in a year and I am worrying about those two deer in Tamworth."

Senator Bergeron spoke in opposition to the Motion: "I would like the Senator to know this is not a hurried resolution. I do not know of anything that has had more study. I have served

with Senator English on the Finance Committee in 1957 and I know he has been working on it since then. I think it is good for the State and for the people."

Senator Martel spoke in support of the Motion: "I am fearful of one thing. If we could be sure it would be only a 3 month session — a 90 day session — I would be tempted to go along. I would be fearful because of the tremendous amount of work this legislative body faces every two years. If we only had 150 on the other side and here, I think there might be merit. But with 400 representatives coming in for three months, picture the deluge of bills to be handled in the second session. I heartily concur with the motion offered by the Senator from the 4th District and hope my colleagues will go along with the motion and refer this to the Judicial Council which is qualified in all respects to give us in the next session a very comprehensive report on the matter."

Senator English spoke in opposition to the Motion: "I would like to offer reassurances to the Senator from the 17th District. The point which he has raised has been raised over the years. The solution to the problem, it appeared was worked out in the Resolution as originally offered. The session would meet for 3 months each year, recessing for the month of January so the period would run February, March and April. Also in the Resolution and in the recommendation of over 100 members of the Legislature it urged that all the bills, including the budget bills, be available on February 1 when the session got underway. In the so-called budget session — I am going back to the original resolution — only the budget, bills referred to it by a preceding session, bills introduced through Rules Committee, or bills which a majority of the House or Senate approved could be introduced. Coming back to the first session — by having the bills planned, the efficiency in handling these becomes very noticeable. There are often some 12 to 16 or 18 deer bills. All of them could be heard and discussed at one time. The Judicial Council comes up with 14 or 18 bills. Under the present system, they come in piecemeal. There is a possibility of their all being handled in an afternoon. I think a little careful study would show how if the Committee Chairmen were in possession of the bills and knew the subject matter, this could easily take place. That is what more than a hundred people who considered this thought would happen. The three ways of introducing a bill in the ses-

sion were specified. That has not been adopted by the House. The Judiciary Committee ran out of time for careful consideration of the guidelines. They felt, to cover special contingencies which were not raised by anyone, it was better to leave the determination of the guidelines to a special committee. The Speaker had agreed to appoint this committee which would start meeting immediately to draw up these guidelines. Whether or not this would be identical to that contained in the original Resolution remains to be seen, but in all probability, it would be basically similar. I would remind the Senator that it was the 10th of February before the first bill of this session reached the Governor's desk. On the 11th of March, nearly 2½ months after we had been in session, only 14 bills had reached the Governor's desk. Apparently, there is something the matter with our machinery. You have before you a plan in which the details are to be filled in. We shall receive shortly, maybe even this evening, the Resolution setting up this group who will immediately go to work to recommend a workable plan."

Senator Foley spoke in favor of the motion: "Yesterday I brought in a Concurrent Resolution and I was told any change in the Constitution was a very solemn step and should never have been brought in three days before adjournment. This is two days before adjournment and I think perhaps it is unwise to bring it in today. However, the Senator from District No. 5 has said the big difference is the House had never had my Resolution. Perhaps they had never had it in writing, but they did know about it. Perhaps it would be a good idea to have it every year. Perhaps it has merit, but I will go along with the Senator from the 4th District."

Senator Buchanan moved the previous question.

On a *viva voce* vote the motion carried.

Question now being on the adoption of the motion offered by Senator Lamprey to refer the Concurrent Resolution to the Judicial Council.

Senator Martel requested a Division vote.

Six Senators having voted in the affirmative, and fifteen Senators having voted in the negative, the negative prevailed and the motion was not adopted.

Senator Lamprey: "I want to go on record as seeing the possibility upon the passage of this Concurrent Resolution of what I believe would be a glaring flaw and that is the fact that the annual sessions are not limited to a specific number of days. I can see the distinct possibility arising whereby the majority of the days are used in the first year of the biennium and that second year of the biennium becomes a session of considerable haste and legislation that legislation passed in haste we live to regret after the Session has ended. Therefore, I am opposed to the passage of the present Concurrent Resolution and desire to be so recorded."

Question being on the adoption of the Concurrent Resolution.

Senator Buchanan: According to the Constitution, this requires a 60% vote.

Senator Buchanan requested a Division vote.

Fifteen Senators having voted in the affirmative, and four Senators having voted in the negative, the affirmative prevailed and the Concurrent Resolution was adopted.

Bill Recalled from Governor

Upon motion by Senator Martel, the following entitled bill was recalled from the Governor:

HB 59, relative to construction of buildings to be used by the public.

Upon motion of the same Senator, the rules were suspended to reconsider the vote whereby the bill was ordered to a third reading and final passage.

The bill now being on second reading, Senator Martel moved it be laid on the table.

On a *viva voce* vote, the motion carried.

Senator English moved the rules be suspended to place Concurrent Resolution No. 2 on third reading at the present time.

On motion of Senator English, the Senate refused to reconsider its vote on the above Resolution.

On motion of Senator Martin, the Senate recessed.

(Recess)

The Senate re-assembled.

On motion of Senator Johnson, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Johnson, for the Committee on Judiciary: SB 134, to grant immunity in prosecutions from mob action. Ought to pass.

The bill being on its second reading, was open to amendment.

Senator Johnson offered the following amendment:

Strike out paragraph 1. and insert in its place the following:

1. New Sections. Amend RSA 609-A as inserted by laws of 1965, chapter 167, by adding the following new sections: 609-A:7 Official Immunity. If, in the effort made to suppress the assembly and to arrest and secure the persons composing it, any such person or any other person is killed or wounded, or any injury is done to persons or property, the magistrates, officers and persons acting with them shall be held guiltless and justified in law.

On motion of Senator Johnson, reading of amendment was dispensed with.

Senator Johnson: "Mr. President, this bill deals with the action of the Senate last week in passing a new statute on mob action. In the drafting of the mob action bill, two sections were left out. The purpose of this bill is to aid these two sections back into the mob action bill. The amendment simply spells out in the same language as is presently in the law the fact that there is immunity of officials involved in suppressing mob action. The second part of the bill is a part of the old law and is written to be more clear and the language is essentially to speak with possible witness and grant him immunity if he will turn state's evidence. At the first case tried in Laconia, arose this question because the police did not have this power. As you know, in any mob situation, because of the mass confusion, it is very difficult afterward to pick out those persons who were

involved in mob action. I would urge passage of this bill as amended."

The amendment was adopted, and the bill as amended, was ordered to a third reading.

On motion of Senator Johnson, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

SB 134, to grant immunity in prosecution from mob action.

House Message

The House concurs with the Senate in passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 81, relative to the establishment of a state rifle range.

Amend the bill by striking out the third paragraph in the preamble and inserting in place thereof the following:

Whereas, the establishment of state rifle ranges would serve both civilian and military needs while providing a unique recreational attraction for New Hampshire; and

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2 Study Commission Established. There shall be a study commission composed of the adjutant general, director of the state police, director of the department of fish and game, director of state parks, director of the office of planning and research, administrator of public works and six members appointed by the governor and council one of whom shall be a member of the house of representatives, one of whom shall be a member of the senate and four of whom shall be from the public at large. The committee shall assist the office of planning and research in its search for a site, evaluation of feasibility, recommended plan for development, and method of financing.

Further amend the bill by striking out section 4 and renumbering section 5 to 4.

On motion of Senator Riley, the reading of amendment was dispensed with.

On motion of the same Senator, the Senate voted to concur.

The Message further stated that the House concurs with the Senate in the passage of the following entitled bill, with amendments, in the passage of which amendments the House asks the concurrence of the Senate:

SB 116, relative to adoption, administration, and enforcement of housing code by municipalities, and appellate procedures in relation thereto.

Amend subparagraph (a) of paragraph I of RSA 48-A:3 (supp) as amended by section 2 of the bill by striking out the words "housing board of appeals hereinafter provided" in the eleventh and twelfth lines and inserting in their place the words, appointing authority, so that the subparagraph is amended to read: (a) A board consisting of at least three members two of whom shall be the head of the municipal health department, and the head of the municipal fire department, if such offices exist, and such other incumbants of municipal offices or positions as such ordinance, code, or by-law prescribe. Selectmen, and city and town managers, and members of the governing bodies of cities shall be ineligible for membership on such board. No person shall serve concurrently as a member of such board and as a member of the appointing authority.

Further amend RSA 48-A:3 as amended by section 2 of the bill by striking out paragraphs 11, III, IV, V and VI.

Further amend the bill by striking out sections 3, 4, 5 and 6 and inserting in their place the following:

3 Exemptions. Amend RSA 48-A:12 (supp) as inserted by 1959, 293:1 by striking out said section and inserting in its place the following:

48-A:12 Exemptions. An ordinance, code or by-law adopted pursuant to the authority of this chapter may provide that any dwelling, building or structure situated within an historic district that is established under RSA 31:89-b, or within such other classes of dwellings, building or structures as the governing body shall determine to have special significance to the public interest and shall expressly define in such ordinance,

code or by-law, may be approved by the board of aldermen as a special exception, after public hearing, and the provisions of such ordinance, code or by-law may be waived in their application to such dwelling, building or structure, in whole or in part or otherwise so modified as the housing board of appeals may determine.

Further amend the bill by striking out section 7 and 8 and inserting in their place the following:

4 New Section. Amend RSA 48-A (supp) as inserted by 1959, 293:1 by inserting after section 12 the following new section:

48-A:13 Conflicting Provisions. Whenever the regulations made under the authority hereof differ from the those prescribed by any statute, ordinance or other regulation, that provision which imposes the higher standard shall govern.

5 Takes Effect. This act shall take effect thirty days after its passage.

On motion of Senator Martel, reading of the amendment was dispensed with.

On further motion of the same eSnator, the Senate voted to concur.

On motion of Senator Johnson, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Senator Johnson, for the Committee on Judiciary: Concurrent Resolution relative to amendment of federal constitution.

Question being on adoption of resolution as offered by the committee.

Senator Johnson: "Mr. President, this Concurrent Resolution has the purpose of undoing something that we passed under date of January 20, 1963. Because of lack of study, we passed a Resolution which would make a change in order that we might amend our Constitution. If two-thirds of the states desire to amend the Constitution, by petition to Congress, it will then come back to the states for ratification by three-fourths. There is no federal debate. A national debate by Congress or at a National Convention. We found out after passage of this in 1963 that we were lined up with Alabama, Arkansas and Georgia

and few other states in the south. At this point, the Bar Association woke up and I myself woke up and many other people woke up and we attempted to undo it. But time ran out — just as it is running out this year. I do think this is not a wise Resolution and I would hope that you will vote for the Resolution which will undo our action in the 1963 session.”

On a *viva voce* vote, the motion carried.

House Message

The House refuses to concur with the Senate in the passage of the following entitled bills:

SB 104, to regulate the practice of land surveying.

SB 105, raising the minimum age for the holding of a license to operate a motor vehicle to 18 and providing for exemptions thereto.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 327, relative to the taking, sale, possession and transportation of lobsters and crabs.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 601, relating to licensing of dogs and information on a felony.

Announcement by the Chair

The Chair stated that the capital budget is expected at about 8 o'clock or a little after. He further stated that the Senate should wait in Recess until same is received.

The Chair declared a 45 minute Recess.

(Recess)

The Senate re-assembled.

On motion of Senator Howard, the rules were suspended to place the following entitled bill on third reading and final passage at the present time:

HB 662, relative to the salaries of unclassified state officials.

Third Reading & Final Passage of Bill

HB 662, relative to the salaries of unclassified state officials.

On motion of Senator Howard, the Senate refused to reconsider its vote on the above entitled bill.

On motion of Senator Hunter, the rules were suspended to dispense with committee hearing, public hearing and permit introduction of a Committee Report not previously advertised in the Journal.

Senator Hunter, for the Committee on Fisheries & Game: HB 682, to establish a division of marine fisheries for the salt water areas. Ought to pass.

Senator Hunter: "Mr. President, the bill asks for a marine fisheries to be established for salt water areas of the state. The money for the establishment will be from the fines and license fees for clams, lobsters and clam worms, etc. and will be segregated and put into this new marine fisheries effort. It will be under and subject to the laws of the Fish & Game Department and the Fish & Game Commission. He will be responsible for its action. \$6,000 will be necessary but the Fish & Game Commission was given the funds in the last session to establish clam flats, etc. in the amount of \$30,000. So this amount of \$6,000 will not be too much of a strain to ask that this amount when available for this project."

On motion of Senator Hunter, the rules were suspended to dispense with the bill being referred to the Finance Committee.

The bill was ordered to a third reading.

On motion of Senator Hunter, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 683, to establish a division of marine fisheries for salt water areas of the state.

Senator Blaisdell presiding.

On motion of Senator Hunter, the rules were suspended to dispense with holding of committee hearing, public hearing, and to introduce a Committee Report, not previously advertised in the Journal.

Senator Hunter, for the Committee on Fisheries & Game. HB 405, to change fees for lobster licenses and regulate taking of lobsters. Ought to pass.

Senator Hunter: "Mr. President, there is no amendment, but I would like to explain the bill. The addition was for the lobstermen who were glad to pay more fees because they were going to have the previous bill which would set up the division of marine fisheries. So they were all in accord to raise the license fees and the regulation of taking of lobsters."

The bill was ordered to a third reading.

On motion of Senator Hunter, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 405, to change fees for lobster licenses and regulate taking of lobsters.

On motion of Senator Martel, the rules were suspended to permit the introduction of a Committee Report, not previously advertised in the Journal.

Senator Martel, for the Committee on Judiciary: SB 136, relative to rental of certain accommodations to minors under twenty-one years of age. Ought to pass.

Senator Martel: "Mr. President, this is an outgrowth of a portion of the Landon Report. It is only permissive legislation, whereby towns and cities would regulate the rental to anyone under 21 years of age — hotel, motel and public accommodation. I would urge my colleagues to support the report of the Committee."

Senator Martel requested the Clerk to read the bill.

Senator Riley inquired: "Can you explain how this would affect motels which are near schools, colleges or something of that type. Such as accommodations for groups for social affairs?"

Senator Martel: "I believe that as you have heard the bill read, your town or city would make regulations covering the rental which would certainly take care of any such situation as you mention. This is an outgrowth of the trouble at Hampton and at the Weirs, which might lead subsequently to mob action. I would think your town would not need this. This was drawn up by Attorney O'Neil of the Attorney General's office at the request of the administration. We had a public hearing on the bill yesterday morning and the Committee voted the bill as ought to pass."

(Discussion ensued)

Senator Hunter spoke in support and stated that this came about because of the situation in his area and in conjunction with the Blandin Report.

Senator Johnson stated that this bill is one of the bills that has come out of the situation of last week and also the situation at Hampton previously. He stated that he had no objection to the bill only because of the timing of the bill. Stated that it will certainly affect those in the tourist sections. Stated that he felt that this may be a good law but he had the feeling when legislation is drafted involving major industry, there should be a chance to speak out and be heard. Stated that he felt if the Senators believed it to be good legislation for their Districts, that was fine, but stated that he could not vote for it for his area.

Senator Hunter reminded Senator Johnson that the main thought was to get a riot law on the books — in accordance with the Blandin Report. Stated that this is permissive legislation.

(discussion ensued)

On a motion of Senator Hunter, further consideration of the bill and the Committee Report were laid on the table in order that Senator Hunter might have an amendment prepared.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Senator Provost, for the Committee on Finance:

HB 782, making appropriations for capital improvements and long term repairs for the state of New Hampshire. Ought to pass with amendments.

Amendment

Amend the bill in section 1 by striking out the same and inserting in place thereof the following:

1 The sum of five million four hundred fifty one thousand eight hundred seventy two dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are enumerated herein.

The appropriations for the projects are as follows:

I Administration and Control:

Renew state library roof and complete related repairs	\$20,000	
Purchase, renovate and make necessary related expenditures to establish state offices in old post office building	100,000	
Acquisition of land, buildings, rights of way, easements, improvements and betterments	100,000*	
		220,000

*This appropriation shall lapse at June 30, 1967.

II Adjutant general:

Littleton armory — grade and pave parking area, walk and driveway	22,000
---	--------

III Education:

Vocational institute:†

Site	50,000	
Site development	100,000	
Building	836,000	
Architect's fee	40,000	
Equipment	400,000	
	1,426,000	
		2,852,000

†Location priority for the new vocation institutes shall be given by the state board of education to areas where site, site development, water and sewerage services and snow removal will be provided by public or private interests. The appropriations for site and/or site development shall lapse if site and/or site development is furnished by public or private interests.

Plans and specifications for these projects must be approved by the public works division of the department of public works and highways. The buildings shall be limited to an area of 44,000 square feet.

IV Industrial school:

Cottage containing facilities for thirty boys and the house parents. To contain approximately 10,000 square feet and be heated by an underground line from the existing power plant. The building to be of steel and masonry construction with brick facing:

Site development including piling	37,000	
Building	160,000	
Steam line	25,000	
Architect's fee	13,500	
Furniture and equipment	20,000	
Contingencies	11,500	
	<hr/>	
	267,000	
Installation of sprinkler systems in River-view and Spaulding cottages	17,000	
	<hr/>	
		284,000

V Health and welfare:

Laconia state school:

Boys cottage. To be a one story building with a partial basement containing approximately 8,700 square feet and constructed on land owned by Laconia state school. Building to be of steel and masonry construction with brick facing and to be constructed adjacent to present Sanborn cottage:

Building	156,600	
Water and sewer lines	8,000	
Approach road and parking area	15,000	
Architect's fee	10,776	
Furnishings	20,000	
Demolition of Sanborn*	2,500	
Contingencies	7,124	
	<hr/>	
	220,000	
Renovate, reconstruct and equip Baker building	75,000	

New administration building	200,000	
Boiler repair replacement and conversion	170,000	
Sidewalk and street reconstruction	50,000	
Laundry equipment	20,000	
	<hr/>	735,000

*Sanborn cottage and barn shall be demolished upon completion of boys cottage.

New Hampshire hospital:

Furnishings for patients rooms	300,000
--------------------------------	---------

VI Port authority:

Water line installation	3,000	
Construct and equip permanent fueling berth	16,000	
Pave parking and storage areas	25,000	
Free foreign trade zone	1,500	
Construct and equip second section transit shed	35,000	
	<hr/>	80,500

VII State prison:

Construct and equip farm implement stor- age shed with inmate locker room	17,000	
Purchase of prison industry equipment	33,420	
	<hr/>	50,420

VIII Department of safety:

Establish and equip crime detection laboratory	10,000
--	--------

IX Soldiers home:

Recondition and equip dispensary building	17,500†
---	---------

†This appropriation available for expenditure only if matched by federal funds on a 50-50 matching basis.

X Water resources board:

Land easements and rights of way:

Baker river sites	399,420
Souhegan river sites	61,532

*Dams, water rights, and lands connecting therewith at Contoocook river park dam in the city of Concord and town of Hopkinton; Bunker Pond in Epping; Chandler Pond in Landaff; Suncook river dam

in Barnstead; Steele Pond in Antrim; and at Winnisquam lake in Tilton, Sanborn- ton, Belmont and Laconia	116,500	
	<hr/>	577,452

*Tax exemption. The dams, water rights and lands connected therewith hereby authorized to be acquired by the water resources board for the benefit of the state are exempt from taxation so long as the properties are held by the state.

XI Aeronautics commission:		
Development and improvement of air navigation facilities	225,000*	
Purchase and installation of visual omni range equipment	78,000	
	<hr/>	303,000

*This appropriation shall be for the development and improvement of air navigation facilities as defined by RSA 422:3, VI under the following conditions: (a) If used to augment local funds, to be spent in the ratio of twenty-five per cent state funds to twenty-five per cent local funds for the development and improvement of air navigation facilities with federal aid under the federal aid airport program; or (b) if used to augment local funds, to be spent in the ratio of fifty per cent state funds to fifty per cent local funds on joint state and local projects which do not qualify for federal aid, subject to determination by the commission that such a project satisfies a public need. Of the sum appropriated by this section, twenty-five thousand dollars or as much of that sum as necessary may be used for consulting engineering services.

Total — section 1	<hr/>	5,451,872
	<hr/>	

Further amend the bill by striking out the first paragraph of section 3 and inserting in place thereof the following:

The sum of sixteen million three hundred twenty one thousand four hundred fifty nine dollars is hereby appropriated for the purpose of capital improvement and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are enumerated herein.

Further amend the bill by striking out the subdivision "I Durham campus" and inserting in place thereof the following:

I Durham campus:

New social science center —

Building with site development, built in equipment	1,228,500	
Furnishing and Equipment	25,000	
Architect's fee	105,000	
Administration cost, clerk works, testing	23,500	
	<hr/>	1,382,000

Kingsbury hall, addition — alterations:

Building with site development, built in equipment	453,900	
Furnishings and equipment	49,549	
Architect's fee	27,051	
Administration cost, clerk works, testing	14,500	
	<hr/>	545,000

Addition to university library —

Building*	1,660,000	
Furnishings and equipment	270,000	
Architect's fee	99,000	
UNH administrative costs, supervision, etc.	22,500	
	<hr/>	2,051,500

*This includes site development, built in equipment.

Putnam hall additions, alterations:

Building with site development, built in equipment	313,950	
Furnishings and equipment	6,934	
Architect's fee	20,716	
Administration cost, clerk works, testing	8,400	
	<hr/>	350,000

Hamilton-Smith addition, alterations:

Building with site development, built in equipment	742,000	
Furnishings and equipment	48,000	
Architect's fee	40,000	
Administration cost, clerk works, testing	23,000	
	<hr/>	853,000

New incinerator:

Building with site development, built in equipment	77,300	
Furnishings and equipment	200	

Architect's fee	5,500	
Administration cost, clerk works, testing	2,000	
		85,000
Expansion of water supply:		
Building with site development, built in equipment	79,000	
Architect's fee	6,000	
Administration cost, clerk works, testing	2,000	
		87,000
Pettee hall alterations:		
Building with site development, built in equipment	22,500	
Furnishing and equipment	1,500	
Architect's fee	1,800	
Administration cost, clerk works, testing	1,200	
		27,000
DeMerritt hall:		
Building with site development, built in equipment	93,500	
Furnishings and equipment	47,000	
Architect's fees	7,000	
Administration cost, clerk works, testing	2,500	
		150,000
Merrill hall alterations:		
Building with site development, built in equipment	12,800	
Furnishings and equipment	500	
Architect's fees	1,200	
Administration cost, clerk works, testing	500	
		15,000
Huddleston hall alterations:		
Building with site development, built in equipment	15,000	
Furnishings and equipment	3,000	
Architect's fee	1,500	
Administration cost, clerk works, testing	500	
		20,000
Physical education outside improvements:		
Building with site development, built in equipment	89,000	

Furnishings and equipment	3,000	
Architect's fee	4,000	
Administration cost, clerk works, testing	4,000	
	<hr/>	100,000
Expansion outside utilities		307,304
Design of proposed capital improvements		207,800
Land acquisition		100,000
Relocation of poultry farm:		
Building	155,000	
Furnishings and equipment	2,000	
Architect's fee	9,000	
UNH Administrative costs, supervision, etc.	4,000	
	<hr/>	170,000
Acquisition of books for library		150,000
Educational television construction:		
Littleton UHF channel 24	174,990	
Hanover UHF channel 20	139,386	
Berlin UHF channel 52 and six translators	136,150	
Keene UHF channel 45 microwave link to channel 2, Boston and studio equipment	236,493	
	<hr/>	687,019
Total — Durham campus		<hr/> 7,287,623

Further amend the bill in section 3: II Keene state college, by inserting after the subsection for "Land acquisition" the following new subsections

Acquisition of books for library 75,000; and, by changing the figures for "Total — Keene state college" as follows: 4,784,836 changed to 4,859,836.

Further amend the bill in section 3: III Plymouth state college: Physical education building, by changing the figures for "Building with site development, built in equipment" as follows: 1,676,000 changed to 2,051,700; and, by changing the figures for total of said paragraph as follows: 1,850,000 changed to 2,225,000. Further amend said section 3:III Plymouth state college, by inserting after the subsection "Land acquisition" the following new subsection:

Acquisition of books for library 75,000; and, by changing the figures for "Total — Plymouth state college" as follows: 3,724,000 changed to 4,174,000. Further amend section 3 by changing the figures for "Total—section 3" as follows: 14,959,440 changed to 16,321,459.

Further amend the bill in section 4 by inserting at the end of paragraph "III Plymouth state college campus" the following:

Note: Notwithstanding the provisions of section 2, chapter 251, Laws of 1963, Strafford house at Plymouth state college shall be demolished upon completion of construction of the dormitory for women authorized above.

Further amend the bill after section 5 by changing the figures for "Total capital appropriations" as follows: 29,819,392 changed to 31,052,331.

Further amend the bill in section 8 by striking out the same and inserting in place thereof the following:

8 Land acquisition: Any land acquired under the appropriations made in section 1 and 2, except such land, if any, as may be acquired under the appropriation for water resources board, shall be purchased by the commissioner of public works and highways, with the approval of the governor and council. Any land acquired under the appropriations made in sections 3, 4 and 5 shall be purchased by the trustees of the university.

Further amend the bill in section 9 by striking out said section and inserting in place thereof the following:

9 Borrowing power: To provide funds for the appropriations made in section 1, 1-a, 2, 3, 4 and 5 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of thirty one million fifty two thousand three hundred thirty one dollars (\$31,052,331); and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

The bonds provided for herein shall be paid as follows:

Section 1. 300,000 for furnishings for patients' rooms at the New Hampshire hospital shall be paid within five years, while the balance shall be paid within twenty years:

Section 1-a. Bonds issued under this section shall be paid within five years:

Section 2. Bonds issued under this section shall be paid within twenty years:

Section 3. 300,000 for books for libraries shall be paid within five years, while the balance shall be paid within twenty years:

Section 4 and 5. Bonds issued under these sections shall be paid within thirty years.

Further amend the bill by striking out section 12 and renumbering section 13 to read 12, section 14 to read 13, section 15 to read 14, section 16 to read 15, section 17 to read 16, section 18 to read 17. Amend renumbered section 17 by inserting after II the following: III To transfer funds from any item to any other line item within the same individual project.

Further amend section 19 to read 18 and 20 to read 19. Further amend the bill in renumbered section 19 by striking out the same and inserting in place thereof the following:

19 Constructon Requirements. All buildings and projects herein relating to the University of New Hampshire, Keene and Plymouth state colleges shall be constructed and equipped reasonably in accordance with drawings, sketches, plans and explanations set forth in documents submitted by the officials of the University of New Hampshire. These drawings and sketches are plan No. 372 relative to self liquidating buildings and henceforth called Exhibit "A" and plan No. 558 which includes all other buildings and projects and henceforth called Exhibit "B" and both exhibits shall be on file in the Legislative Budget Assistant's office.

Further amend by inserting section 20 as follows:

20 Construction Directed. Amend section 2 of chapter 324 of the Laws of 1963 by inserting after the word "Authorized" the words, and directed, so that the section is amended to read

as follows: 324:2 Authorization. The commissioner of public works and highways, subject to the approval of the governor and council, is hereby authorized and directed to lay out and construct an access road to the Willard Basin, so-called, in the towns of Lancaster, Jefferson, and Randolph, the city of Berlin, and in the unorganized place of Kilkenny.

Further amend the bill by striking out section 21 and inserting the following new section.

21 Time Extended. All the appropriations provided for in sections 3, 4 and 5 of chapter 324 of the Laws of 1963 are hereby extended to June 30, 1968, and the authority of the commissioner of public works and highways and the governor and council provided for in section 2 of chapter 324 of the Laws of 1963 is extended and may be exercised up to June 30, 1968. The provisions of this section shall be of full force and effect notwithstanding any other provisions of law to the contrary, including but not being limited to the provisions of 1965, 228.

Further amend the bill by renumbering the original section 21 to read 23.

On motion of Senator Lamprey, reading of the amendment was dispensed with and he explained.

Senator Lamprey: "Mr. President, the Senate Finance Committee has made the following recommendation to the Senate relative to the capital budget. The first item was to exclude the supreme court building, \$735,000. The next item was to increase the amount for the paving of the Littleton Armory by \$2,200. It was felt that the appropriation of \$2,000 would be mighty tight. We added laundry equipment at the Laconia State School. The increase in personnel at Laconia State School demands more laundry equipment if they are to keep going and that was \$20,000. We added \$300,000 for furnishings for patients' rooms at the New Hampshire Hospital. The present economic life of the furniture there has been 20 years at least and I would venture 30 years. This only gives them one-half of what they need. Nevertheless, it is in the right direction. The so-called PEP program has been eliminated in the amount of \$200,000. We decreased the amount for water resources in the amount of \$210,920 as this will give us through the federal government, some 1 million, 300 thousand dollars.

We deleted the elevator at the Highway office building. This is primarily a two story building and we felt that they could get along without the elevator. We added for aeronautic navigation — for visual aids, etc. \$303,000. The economic life of most of this equipment ranges in the vicinity of 30 years. We added an expansion for educational TV under improvements for Keene, Littleton, Hanover. We increased the appropriation for Plymouth \$375,000. There was a controversy there due to the fact that it was felt that in order to give them a one-tenth of a mile indoor track it would mean the additional amount. This will be slightly over 2 million dollars for that building. We increased the appropriation for U.N.H. for the purchase of books by \$150,000; Keene \$75,000; and Plymouth \$75,000, on a five year basis, it being that the average economic life of library books is in the vicinity of 10 years. This amounts to 1 million, 232 thousand, 939 dollars, for a total of 31 million, 520 thousand, 3 hundred thirty-one dollars.”

(Discussion ensued)

Question being on adoption of amendment offered by the Committee.

On a *viva voce* vote, the affirmative prevailed, and the amendment was adopted.

Senator Martel offered the following amendment:

Amend the bill by putting in the appropriation for the supreme court building and for the PEP program which had been deleted by the committee.

Senator Martel spoke in support of the amendment.

(Discussion ensued)

Senator Johnson spoke against the amendment.

Senator Foley spoke in support. Also Senator Riley.

Question being on adoption of amendment offered by Senator Martel.

At the request of Senator Martel, the question was divided.

Question being on the first part of the amendment relative to the supreme court building.

The negative prevailed, and the amendment was not adopted.

Question being on the second part of the amendment relative to the PEP program.

On this question, Senator Martel demanded a Roll Call.

The Clerk proceeded to call the Roll.

The following named Senators voted in the affirmative: Martin, Riley, Martel, Tufts and Foley.

The following named Senators voted in the negative: Mitchell, Lamprey, Johnson, Gardner, Howard, Saggiotes, Gove, English, Buchanan, Rinden, Green, Provost, Waterhouse, Bergeron, O'Gara and Hunter.

Five Senators having voted in the affirmative, and sixteen Senators having voted in the negative, the negative prevailed, and the amendment was not adopted.

Senator Johnson offered the following amendment:

22 Additional Appropriation. Amend 1961:263 as amended by 1963:287 by inserting after section 5 the following new section: 5-a Additional Appropriation. In addition to the sums specified in section 5, the following sums are appropriated for the the purposes indicated:

Southwestern State Park	\$1,000,000
Winnepesaukee State Park	1,000,000
Mount Washington Carriage Road	800,000
Connecticut Lakes study	25,000
Rye Harbor project	50,000
Shelburne Basin project	30,000
Strawbery Banke project (governor's house)	25,000
Other projects as approved by governor and council	320,000
<hr/>	
Total	\$3,250,000
Less federal funds	1,625,000
<hr/>	
Net appropriation	\$1,625,000

The appropriation for each of the above individually specified projects may not be expended unless matching federal funds are available for that specific project.

Bonds or Notes Authorized. Amend 1961, 263:6 by striking out the same and inserting in place thereof the following: 263:6 Bonds or Notes Authorized. For the purpose of providing funds necessary for the appropriations made by sections 5 and 5-a, the state treasurer is hereby authorized, under the direction of the governor and council, to; borrow on the credit of the state from time to time, a total of ten million six hundred twenty-five thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1990.

Senator Johnson spoke in support: "This total 3 million, 250 thousand dollars appropriation, less federal appropriation of 1 million, 625 thousand leaves a net appropriation of 1 million, 625 thousand dollars . . ."

On a *viva voce* vote the amendment was adopted.

Senator Saggiotes offered the following amendment to the amendment:

Amend HB 782 to include an appropriation of \$250,000 for an additional ski lift at Sunapee State park, and that the appropriation for other projects as approved by Governor and Council be set at \$70,000.00.

Senator Saggiotes: "Mr. President, this amount of 250 thousand dollars for Sunapee State Park was originally appropriated, I believe, back in 1961 and for some reason it did come about. This was under the 9 million park expansion program back then and this is the reason that I am asking for this at the present time."

Senator Gardner: "Sunapee State Park is one of the two major parks that carries the program for several other parks in this state. In 1959, it was \$7,000. In 1963, it was \$220,000 and in 1964, it was \$150,000. When it was originally passed, there were two phases. The second phase of one quarter of a million dollars went into the road, therefore the second phase was never carried out. They need a new lift to take the pressure off the waiting list. This is one of the biggest money-making parks that we have in this state and I think it deserves a place in this expansion program."

(Discussion ensued)

On a *viva voce* vote, the above amendment was adopted.

The bill as amended was ordered to a third reading.

On motion of Senator Saggiotes, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 782, making appropriations for capital improvements and long term repairs for the state of New Hampshire.

On motion of Senator Howard, the Senate refused to reconsider its vote.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 662, relative to the salaries of unclassified state officials. And request a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: DeLude of Unity; Smith of Concord; and Belcourt of Nashua.

On motion of Senator Green, the Senate voted to accede to the request of the House.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Howard and Provost.

On motion of Senator Tufts, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 378, relative to establishing a mosquito control commission. Ought to pass.

Senator Tufts: "Mr. President, all this bill does is to set up a commission to act on the matter with the vague hope that

there might be some federal funds. There was no opposition. We had a public hearing on the seacoast in the Rye town hall — a well attended meeting. The committee hopes that the bill will pass.”

The bill was ordered to a third reading.

On motion of Senator Tufts, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 378, relative to establishing a mosquito control commission.

On motion of Senator Tufts, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 540, relating to excavating, filling, and dredging in and adjacent to waters. Ought to pass with amendment.

Amend RSA 483-A, as inserted by section 1 of the bill, by adding at the end a new section as follows:

483-A:6 Work in Progress. Work in progress on the day of the passage of this chapter, or any work done in furtherance of a plan in existence on the day of passage of this chapter, or any proposed work upon which a plan has been started and on which money has been spent or an investment made on the day of the passage of this chapter, may be completed without conforming to the provisions of this chapter.

On motion of Senator Tufts, the reading of the amendment was dispensed with.

Senator Tufts: “Mr. President, this bill had a public hearing and passed in the House and the Committee recommends its passage.”

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Tufts, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 540, relating to excavating, filling, and dredging in and adjacent to waters.

On motion of Senator Tufts, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Senator Tufts, for the Committee on Resources, Recreation & Development: HB 486, relative to future use of portions of the Lamprey River and/or its tributaries for public water supplies. Ought to pass with amendment.

Amend the title by adding at the end the words, and to name the dam at Ayers Lake in Barrington, so that the title is amended to read:

An act relative to future use of portions of the waters of the Lamprey river and/or its tributaries for public water supplies, and to name the dam at Ayers Lake in Barrington.

Further amend the bill by adding after section 6 a new section as follows:

7 Ayers Lake in Barrington. The dam at Ayers lake in the town of Barrington is named and shall be called Dustin Dam.

Further amend the bill by renumbering section 7 to read 8.

Senator Tufts explained the bill and the amendment.

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Tufts, the rules were suspended to permit third reading and final passage of the above entitled bill at the present time.

Third reading & Final Passage of Bill

HB 486, relative to future use of portions of the waters of the Lamprey River and/or its tributaries for public water supplies and to name the dam at Ayers Lake in Barrington.

On motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator O'Gara, for the Committee on Executive Depts., Municipal & County Governments: HB 107, extending the term of office of supervisors of the checklist. Ought to pass with amendment.

Amend the bill by inserting after section 2 the following new section:

3 Filling Vacancies. Amend RSA 55:4 by striking out the entire section and inserting in place thereof the following: 55:4 Vacancies. The moderator shall fill vacancies on the board by appointment. Any such appointee shall be of the same political party as the supervisor whose place he is filling and he shall hold office until the next biennial election at which time a successor shall be chosen to hold office for the unexpired term. All such appointments shall be made in writing and be recorded.

Further amend the bill by renumbering section 3 to read section 4.

Senator Buchanan explained the amendment and the bill.

On motion of Senator Buchanan, reading of amendment was dispensed with.

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Buchanan, the rules were suspended to permit third reading and final passage of the above entitled bill at the present time.

Third Reading & Final Passage of Bill

HB 107, extending the term of office of supervisors of the checklist.

Committee Report

Senator Buchanan, for the Committee on Executive Depts., Municipal & County Governments: HB 786, to provide for vot-

ing by representative districts for the House of Representatives and other offices. Ought to pass with amendment.

Amend the bill by adding after section 24 a new section as follows:

25 Party Conventions. Amend RSA 56:5 by striking out the section and inserting in its place the following:

56:5 State Delegates. At each primary election the voters in the various representative districts shall elect delegates to the state party conventions in a number as set forth in this section.

I. In a representative district that contains only one town or ward, the town or ward is entitled to as many delegates as the district is entitled to representatives in the next assembly of the general court.

II. In a representative district that is entitled to one representative, and which contains more than one town, ward, or unincorporated place, each town, ward, and place organized for voting within the district is entitled to one delegate to the convention.

III. In a representative district that is entitled to more than one representative, and which contains more than one town, ward, or unincorporated place, the towns, wards and places that are organized for voting within the district are entitled to delegates as follows:

	BELKNAP COUNTY	
District No. 10	Laconia Ward 3	1
	Laconia Ward 4	1
	CHESHIRE COUNTY	
District No. 9	Winchester	1
	Richmond	1
	COOS COUNTY	
District No. 1	Pittsburg	1
	Stewartstown	1
	Clarksville	1
	Colebrook	1
	Columbia	1
	Dixville	1
District No. 2	Stratford	1
	Northumberland	2

	Stark	1
	Odell	0
	Erving's Grant	0
District No. 3	Lancaster	2
	Kilkenny	0
	GRAFTON COUNTY	
District No. 1	Bethlehem	1
	Littleton	3
	HILLSBOROUGH COUNTY	
District No. 2	Hillsborough	1
	Deering	1
	Windsor	1
District No. 7	Peterborough	2
	Sharon	1
District No. 10	Wilton	1
	Lyndeborough	1
	Temple	1
District No. 12	Amherst	1
	Mont Vernon	1
District No. 13	Hollis	1
	Mason	1
	Brookline	1
District No. 26	Bedford	2
	Litchfield	1
	MERRIMACK COUNTY	
District No. 5	Hopkinton	1
	Dunbarton	1
	ROCKINGHAM COUNTY	
District No. 8	Atkinson	1
	Kingston	1
District No. 12	Chester	1
	Raymond	1
District No. 18	Epping	1
	Brentwood	1
District No. 17	East Kingston	1
	South Hampton	1
	Seabrook	1

District No. 22	Rye	2
	New Castle	1
STRAFFORD COUNTY		
District No. 2	New Durham	1
	Farmington	2
	Strafford	1
District No. 4	Lee	1
	Durham	3
District No. 9	Somersworth Ward 4	1
	Somersworth Ward 5	1
SULLIVAN COUNTY		
District No. 7	Charlestown	2
	Unity	1

Further amend the bill by adding after section 25 as inserted above the following new sections:

26 District No. 3 Changed. Amend RSA 62:14 (supp) as amended by 1961, 273:1 and 1965, 220 (SB 29) by striking out the words "Alexandria" and "Bristol" so that the section is amended to read as follows: 62:14 District 3. Senatorial district number three contains Albany, Ashland, Bartlett, Bridgewater, Campton, Center Harbor, Chatham, Conway, Eaton, Freedom, Hart's Location, Hebron, Holderness, Jackson, Lincoln, Madison, Meredith, Moultonborough, New Hampton, Plymouth, Sandwich, Tamworth, Thornton, Waterville, Woodstock, and the following unincorporated places: Hale's Location and Livermore.

27 District No. 5 Changed. Amend RSA 62:16 (supp) as amended by 1961, 273:1 and 1965, 220 (SB 29) by inserting after the word "contains" the words, Alexandria, Bristol, so that the section is amended to read as follows: 62:16 District 5. Senatorial district number five contains Alexandria, Bristol, Canaan, Dorchester, Ellsworth, Enfield, Grafton, Groton, Hanover, Lebanon, Lyme, Orange, Orford, Piermont, Rumney, Warren, and Wentworth.

28 1965-1967 Senate. The provisions of sections 26 and 27 of this act shall not be construed as affecting the term of office of the members of the senate for 1965-1967.

Further amend the bill by renumbering sections 25 and 26 to read 29 and 30.

Senator Buchanan explained the amendment and the bill.

The amendment was adopted and the bill as amended was ordered to a third reading.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and Joint Resolutions:

HB 71, An Act appropriating funds of the state nursing scholarship program.

HB 529, An Act naming the Tenny Mountain Highway.

HB 56, An Act to authorize the division of safety services of the department of safety to acquire land to build a boat house and launching ramp.

HB 59, An Act relative to construction of buildings to be used by the public.

HB 276, An Act to provide for an open season on fisher.

HB 658, An Act relative to movement of house trailers or mobile homes.

HB 670, An Act relative to the registration of buses.

HB 713, An Act relative to the application of motor vehicle laws to certain non-public ways.

HB 734, An Act to clarify the procedure on challenges of absentee ballots.

HB 732, An Act to prohibit forging or altering a prescription under the drug law.

HB 759, An Act relative to auctioneers.

HB 783, An Act relative to the establishment of state junior colleges.

HJR 6 *Joint Resolution* in favor of Florence E. Martelle.

SB 83, An Act relative to the New Hampshire State Port Authority and the operation of air navigation and land transportation facilities.

SB 132, An Act legalizing the proceedings of a special meeting of the Amherst school district on June 15, 1965.

SJR 14, *Joint Resolution* in favor of Leon R. Parent and Basil Connelly.

SJR 1 *Joint Resolution* in favor of Richard C. Lassar.

HB 432, An Act relating to organization of saving banks.

HB 684, An Act relative to election in the city of Keene.

For the Committee
Eda C. Martin

The report was accepted.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 782, making appropriation for capital improvements and long term repairs for the state of New Hampshire, and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Eaton of Hillsborough; Cassassa of Hampton; and Sheridan of Berlin.

On motion of Senator Tufts, the Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Johnson and Bergeron.

The Message further stated that the House of Representatives has passed the following Concurrent Resolution, in the passage of which it asks the concurrence of the Senate:

Concurrent Resolution

Relating to

FINAL ADJOURNMENT

Whereas, it appears that all necessary legislative work may be accomplished by Thursday, July 1 next, at 5:00 o'clock in the afternoon, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the legislature be brought to

final adjournment on Thursday, July 1 next, at 5:00 o'clock in the afternoon, and be it further

Resolved, that on that date, all reports, bills and joint resolutions, with the exception of those such as have ben referred to special committees or the next legislature, be indefinitely postponed.

On motion of Senator Johnson, the above Concurrent Resolution was laid upon the table.

The Chair declared a Recess, subject to the call of the Chair.

(Recess)

The Senate re-assembled.

On motion of Senator Hunter, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Hunter, for the Committee on Fisheries and Game: Senate Bill 108, relative to disposition of seized illegal game. Ought to pass.

Senator Hunter: "Mr. President, this bill is the very simplest type of bill. It provides that game taken illegally and captured by the Fish & Game officers will be turned over to county and state institutions that need food."

The bill was ordered to a third reading.

On motion of Senator Hunter, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Hunter, for the Committee on Fisheries and Game: HB 403, relating to fish bait, taking of pheasants, and use of boats on Long Pond in Benton. Ought to pass.

Senator Hunter: "Mr. President, this is a sort of omnibus bill. There are restrictions on the size of fish nets, on equip-

ment, on the size of holes in the ice, regulation of bait houses and molesting baitsmen's gear. It also takes pheasants into consideration and the use of boats on Long Pond in Benton."

The bill was ordered to a third reading.

On motion of Senator Riley, Senate Bill 136, relative to rental of certain accommodations to minors under 21 years of age, was taken from the table.

Senator Riley offered the following amendment:

Strike out section 1 of the bill and inserted the following new section 1:

1 Rental to Minors. Amend RSA 353 by inserting after section 3 of the following new section 353:3-a Minors. Any city by vote of the city council and any town at any meeting may adopt an ordinance or by-law regulating the rental to minors under twenty-one years of age of accommodations in public lodging houses as defined in section 3 of this chapter and of any house, cottage, apartment or other dwelling place or portion thereof which is let, rented or hired for a period of less than one year. Such ordinance or by-law may include provisions regarding impersonation or falsification in any way of public lodging house registration. Such cities and towns may affix penalties for violation of such ordinances or by-laws at a fine not more than one hundred dollars.

On motion of Senator Riley, the reading of the amendment was dispensed with.

Senator Riley: "We have deleted the words 'but not limited to' so that this bill only covers anyone who would falsely register and impersonate someone. This is another Hampton Beach piece of legislation and the problem seems to be that many of the rioters would register under false names and addresses and then they couldn't be located. It is permissive legislation."

Senator Martel: "While we were debating this, I think mention was made that it would possibly be amended to relate only to Hampton but now it will apply to all cities and towns who wish to make use of it. Is that correct?"

Senator Riley: "Yes."

The bill was ordered to a third reading.

On the motion of Senator Mitchell, the Senate refused to reconsider its vote on the following entitled bill:

HB 771, to legalize the proceedings of the annual town meeting at the town of Waterville on May 5, 1962, May 18, 1963, May 16, 1964, and March 13, 1965, and to regulate election day activities.

Senator Mitchell asked for a division, and the vote being 11 to 5 against reconsideration, the motion was lost.

On motion of Senator English, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator English for the Committee on Judiciary: SB 135, to regulate motorcycle and motor vehicle races and related matters. Ought to pass with amendment.

Amend the bill by striking out the words "motor vehicle" wherever they appear in the title and body of the bill.

Senator English: "The amendment deletes any reference to motor vehicles in the bill."

On motion of Senator English, the reading of the amendment was dispensed with.

Senator Howard: "I think this bill should have a lot more study and I move we send it to the Judicial Council."

Senator Martel: "Inquiry. Are we not still debating on the committee report that the bill ought to pass as amended?"

Senator Lamprey: "The Chair would state that the motion to refer is in order at any time. Therefore, the motion is in order and the question is on the motion of Senator Howard that the bill be referred to Judicial Council."

On motion of Senator Howard, the bill was sent to Judicial Council.

On motion of Senator English, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator English, for the Committee on Judiciary: HB 659, relative to New England State Police Compact. Inexpedient to legislate.

The Senate voted to adopt the recommendation of the committee.

On motion of Senator Riley, the Senate refused to reconsider its vote on the above-entitled bill.

Taken from the Table

On motion of Senator Hunter, the following Concurrent Resolution was taken from the table: Concurrent Resolution relating to final adjournment.

On a *viva voce* vote, the Concurrent Resolution relating to final adjournment was adopted.

On motion of Senator Martel, the Senate went into the afternoon session.

Afternoon Session

Third Reading & Final Passage of Bills

SB 108, relative to disposition of seized illegal game.

SB 136, relative to rental of certain accommodations to minors under 21 years of age.

HB 107, extending the term of office of supervisors of the checklist.

HB 373, relating to period of lighting of vehicles.

HB 403, relating to fish bait, taking of pheasants, and use of boats on Long Pond in Benton.

HB 738, permitting state, county and towns to require certain recipients of welfare to perform labor for the state, county, or town government.

HB 771, to legalize the proceedings of the annual town meeting of the town of Waterville on May 5, 1962; May 18, 1963; May 16, 1964; and March 13, 1965 and to regulate election day activities.

HB 786, to provide for voting by representative districts for the house of representatives and other offices.

HB 788, to provide for an optional provision for the custody of the jail and house of correction in Rockingham County.

HB 790, legalizing the proceedings of the annual town meeting held in the town of Epping and authorizing an increase or decrease in the board of selectmen.

On motion of Senator O'Gara, the Senate adjourned at 11:59 p.m.

THURSDAY, July 1, 1965

The Senate met according to adjournment.

A quorum was present.

Announcement by the Chair

"The Chair would state that in order to keep up with the docketing of bills, resolutions, etc. that we would plan, if it meets with the approval of the Senate, to work maybe thirty or forty-five minutes and then recess to catch up with our docketing, in order to level off the work load of the Engrossing Committee. From now on, as you know, it is a mechanical procedure more or less. The big issues have been taken care of, as far as I know."

House Message—First & Second Reading of Bills and Joint Resolution

HB 58, relating to radiation protection. Referred to Finance.

HB 236, to establish an industrial workshop and homework program for the older blind. Referred to Finance.

HB 499, relative to the board of chiropractic examiners. Referred to Finance.

HB 534, relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities. Referred to Public Works & Transportation.

HB 577, to provide improved pesticides controls. Referred to Finance.

HB 679, to create a joint state-capital city planning board. Referred to Finance.

HB 701, relative to the purchase of supplies by the department of public works and highways for sale to other departments and institutions of the state and to subdivisions of the state. Referred to Finance.

HB 729, relative to private water supplies. Referred to Public Works & Transportation.

HB 475, to extend the time for expending of funds for expansion of the state park system. Referred to Finance.

HB 600, entering in to the New England Interstate Planning Compact and for related purposes. Referred to Finance.

HB 177, authorizing training of auxiliary state police. Referred to Finance.

HB 533, to provide an access road to the Loon Mountain Recreational area. Referred to Finance.

HJR 20, to provide funds for grants-in-aid to local public libraries. Referred to Finance.

The Message further stated that the House had voted to concur with the Senate in the passage of the following entitled bills, sent down from the Senate:

SB 130, relative to filing dates in primaries.

SB 133, relating to temporary loans in anticipation of the incurrence of long term debt.

SB 82, relative to planning for future development of Great Bay.

SB 126, relating to absentee voting at annual city elections in Berlin.

Senator Blaisdell presiding.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

SB 133, relating to temporary loans in anticipation of the incurrence of long term debt.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Municipal Finance Act. Amend RSA 33:7-a (supp) as inserted by 1957, 89:1 and amended by 1963, 151:2 by striking out the section and inserting in its. The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills:

HB 601, relative to licensing of dogs.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 2 of said bill by inserting after the word "clerk" in the fourth and twelfth lines the word, or,

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills:

HB 738, permitting state, county and towns to require certain recipients of welfare to perform labor for the state, county or town government.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the first four lines and inserting in place thereof the following:

1 Aid to Town Paupers. Amend RSA 165 by inserting after section 30 as inserted by 1965, 42:1 the following new section: 165:31 Employment of Paupers. If a per-

The Senate voted to concur.

Report of Committee of Conference

The Committee of Conference to whom was referred House Bill No. 601, relative to licensing of dogs, having considered the same, report the same, with the following recommendations:

That the House recede from its position of non-concurrence and the Senate recede from its position in adopting its amend-

ments, and that the House and Senate concur in the passage of the bill.

Creeley S. Buchanan
Paul E. Provost
Conferees on the Part of the Senate

Stacey W. Cole
Nelson E. Barker
Fred J. Coffin
Conferees on the Part of the House

The Senate voted to concur in adoption of Committee of Conference Report.

Resolution

Senator Hunter offered the following Resolution and moved its adoption:

Be it hereby Resolved that the Senate Attaches, who serve on the Senate floor in the year of our Lord 1967, be furnished a blazer type jacket on which is emblazoned the emblem and Seal of the State of New Hampshire, as well as the designation of the office which he exemplifies.

Senator Hunter: "Mr. President, I have spoken of this to several people, all of whom, perhaps were not so enthusiastic as I, after seeing this done in other Legislative bodies. But I have always been impressed in seeing this being done. I felt that at a small cost, the Senate could be a brighter place and a happier place and we would know with whom we were talking if it were designated what their office was."

The Resolution was adopted.

Resolution

Senator Foley offered the following Resolution:

On the death of Thomas Marvin Dale.

Whereas, We have learned with great sorrow of the death of Thomas Marvin Dale, son of former Governor and Mrs. Dale and husband of Margaret Bean Dale; Now, therefore, be it

Resolved, That the State Senate extend its sincere and heartfelt sympathy to members of his family; and be it

Further Resolved, that the Clerk of the Senate be instructed to transmit copies of this Resolution to Governor and Mrs. Dale and to Margaret Bean Dale.

The Resolution was adopted.

On motion of Senator Gove, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Gove, for the Committee on Public Works & Transportation:

HB 674, to create a permanent traffic safety commission. Ought to pass.

Senator Gove: "Mr. President, I will read a letter that I received today from Reg Abbott, Chairman, Driver Education sub-Committee:

Senator Gove:

The most important bill before your committee today is HB 674, so far as the Governor's Traffic Safety Committee is concerned.

This calls for permanency for the group, created by the governor last summer to study ways to improve the state's bad highway accident situation. Key to it is the fact that the Executive Director, Kenneth Lewis, has been working for the committee on a paid basis since August, funds furnished by the governor's office.

This bill would grant support from the Highway fund and establish Lewis' office on a permanent basis. As of today, his job has ended — and our committee wants very much to put him back on the payroll as swiftly as possible.

To that end, may I urge — unless the House has already done it — that at least section 259-A:3 Executive Director, be made effective on passage? (See p. 4 of the bill)

The committee already knows many of the problems it should study and make recommendations on for the next Legislature. These would include, for example:

Should licenses be granted for epileptics, diabetics, or others with serious illnesses? Should use of seat belts and/or harnesses be recommended? Should the present 60-day license suspension for drunken driving be retained? Or should the suspension be returned to a full year? How great is the need for a full scale statistical reporting system, in order to know just where responsibility for accidents lies? What should be the proper minimums for eye tests for drivers? Should standards for new drivers be increased? Should everyone — regardless of age — applying for a license for the first time be required to pass a driver education course? What about standards for automobile manufacture, especially tires? How about driver reexaminations . . . and retaining? How develop a tamper-proof license?

I hope your committee will agree to approve the bill as early as possible. The committee needs Mr. Lewis's dedication, efficiency and leadership.

Sincerely,

Reg H. Abbot, Chairman
Driver Education subcommittee

p.s. We are still wholly opposed to the proposed amendment to HB 740 in re special permits for young drivers within 10 miles of home. It would wreck the whole aim: To assure as many *trained* drivers on the road as possible.

If, somehow, the amendment does win approval, it would be our best judgment that the bill either: Be referred to the Legislative Council, or killed.

Senator Gove: "I think this gives the meat of the bill and it will go to Finance."

Senator Lamprey: "Mr. President, I support the move to make this Safety Council permanent and I would also like to offer the amendment which gives the Department of Safety the necessary personnel to have permanent inspectors for those people who are over the age of seventy-five.

"This amendment will be for \$29,573 in 1966 and \$26,056 in 1967."

The amendment was adopted.

On motion of Senator Lamprey, the rules were suspended to dispense with the above entitled bill being referred to the

Finance Committee and place the bill on third reading and final passage at the present time:

Third Reading & Final Passage of Bill

HB 674, to create a permanent traffic safety commission.

Bill Recalled from the Governor

On motion of Senator Tufts, the following entitled bill was recalled from the Governor:

HB 734, to clarify the procedure on challenge of absentee ballots Senator Tufts: "It has been discovered that there has been an error in the wording of the bill and we would like to recall it and correct the error in here."

On further motion of the same Senator, the rules were suspended to place this bill back on second reading.

On further motion of Senator Tufts, the above entitled bill was laid on the table.

On motion of Senator Gove, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Gove, for the Committee on Public Works & Transportation:

HB 693, to regulate the licensing, location, and relicensing of motor vehicle junk yards. Ought to pass with amendment.

Amend the bill by striking out paragraph I of RSA 267-A:2 as inserted by section 1 of the bill and inserting in place thereof the following:

I. "Junk yard means any place of storage or deposit, whether in connection with another business or not, where two or more unregistered, or old motor vehicles, no longer intended or in condition for legal use on the highways, are held, whether for the purpose of resale of used parts, for the purpose of reclaiming for use some or all of the materials, whether metal, glass, fabric, or otherwise, or to dispose of them, or for any other purpose. The term includes any place of storage, or deposit for any

purposes, of used parts or materials from motor vehicles which, taken together, include in bulk two or more vehicles. The term includes anyone registered as a motor vehicle junk dealer under Chapter 260:53, but does not include an establishment operated by a firm or individual registered under Chapter 260:46 as a new or used motor vehicle dealer.

Further amend the bill by inserting after paragraph III of RSA 267-A:2 as inserted by section 1 of the bill the following new paragraphs:

IV. "Motor vehicle dealer"

a "New motor vehicle dealer" means every person principally engaged in the business of buying, selling or exchanging new and secondhand motor vehicles, or tractors on commission or otherwise who maintains in operating condition, and in operation, and at which the dealer does a major portion of his business a place of business capable of housing indoors in one building in an area of 1200 square feet, five average-sized automobiles, devoted to the motor vehicle, or tractor business and gives mechanical service on the same and who holds a written contract with a manufacturer giving such person selling rights for new motor vehicles, or tractors, or with a distributor of such vehicles who, as such distributor, holds a manufacturer's franchise or contract giving selling rights on new motor vehicles, or tractors.

b "Used motor vehicle dealer" means every person or firm principally engaged in the business of buying, selling and exchanging secondhand motor vehicles or tractors, who maintains in operating condition and in operation and at which the dealer does the major portion of his business a place of business capable of housing indoors in one building, in an area of at least 1200 square feet, five averaged-sized motor vehicles devoted to the used motor vehicles, or tractor business, and gives mechanical service on the same and at which the repair of used motor vehicles, or tractors is subordinate or incidental to the business of buying, selling and exchanging the same.

c "Junk motor vehicle dealer" means any person or firm who has an established place of business at which he is engaged in the business of buying secondhand motor vehicles for the purpose of taking the same apart, or buying, and selling parts of secondhand motor vehicles, or tires, for the assembling secondhand motor vehicles parts.

Further amend the bill by striking out RSA 267-A:14 as inserted by section 1 of the bill and inserting in place thereof the following:

267-A:14 Motor Vehicle Dealers. Both new and used car dealers are hereby required to remove from their premises registered with the director of motor vehicles as their principal place of business any motor vehicle which is of the type referred to in paragraph I of this Chapter under the definition of junk yard within at least 160 days from the date of its original entrance thereon. Any other location within the same community used by such dealer shall be subject to the terms of this Chapter if in its operation it falls within the confines of the definition of the term motor vehicle junk yard as defined in this Chapter. The director of motor vehicles shall issue plates designating whether a dealer is a new, used or junk motor vehicle dealer. Definitions in Chapter 259 are hereby amended to conform to definitions in this Chapter.

On motion of Senator Gove, reading of amendment was dispensed with.

Senator Gove: "Mr. President, I will, very shortly, move that this be laid on the table in order that the members of the Senate may read these amendments which are somewhat lengthy and I think we all should be informed on this piece of legislation that has come in at this late hour. I would say this, we worked long and hard on this bill and we arranged for a meeting of people interested in all aspects of this bill and we came up with what we consider to be a bill in the best interests of the State of New Hampshire. In our deliberations, we did put one clause in the bill that related to the business of dealers in used cars selling new cars. We determined to strike this part out of the amendment. We found that this section was not proper and so we determined to strike this out, but at one time, it was in the amendment. I would move that this bill be laid on the table."

Senator English inquired if there were copies of the amendment available.

The Clerk stated that copies of the amendment were being made up and would be ready within the next few minutes.

Senator English inquired: "Was this the bill that was supposed to have been added to—is this the bill as it came to the Senate from the House?"

Senator Gove: "The bill came from the House with some amendments, but the basic meat of these amendments was put on by the Senate, after listening to testimony at the hearing this morning."

Senator English inquired: "Do you know of any concentrated objection?"

Senator Gove: "I think there was some opposition from the executive director of the Municipal Association who felt that we should pass the original bill in toto and who was somewhat adverse to accepting any amendment."

Senator Gove: "Representative Spanos stated: We have a problem—the growth of junk yards which is destroying the country side throughout New Hampshire and the United States. It isn't so much the organized junk yard, but the indiscriminate junking of automobiles that offends most people. These junk yards have caused surrounding land values to decrease considerably. The beauty of the areas has been diminished at a time when the State is embarking on a program to bring in as many tourists as they can. The principle of the bill is set out pretty well in the preamble. This demand for something to control the junk yards is widespread. People are very interested and concerned about this problem. By adopting this, we will be in line with the Federal program for beautification. Tom McKoan, representing the New Hampshire Automobile Dealers Association, stated that 'he felt this bill would create a serious economic situation. The economic damage to people is fantastic when you analyze this bill. We have proposed an amendment which we think will improve the situation. Because of the nature of our business, we are at least four months out of the year unable to move these vehicles. Vehicles are often tied up in court cases and we cannot dispose of them.' Rep. Spanos indicated his concurrence in the amendment offered by Mr. McKoan. Mr. Mann stated that 'we do not see why auto dealers should be exempt from the provisions of the act.' "

(Discussion ensued)

On motion of Senator Tufts, the above entitled bill was laid on the table.

On motion of Senator Gove, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Lamontagne, for the Committee on Public Works & Transportation:

HB 740, to require driver education as a condition to the right of certain minors to obtain operator's license. Ought to pass.

Senator Gove: "Mr. President, this bill was introduced by Rep. Craig of Manchester. It does what it says. I think that we are all aware of the work of the Governor's Safety Council. I think we are all aware of the traffic conditions in travelling. I think we are all aware that these young people who have not had a driver training education have a higher rate of casualties than those who do. . . . Mr. Abbott, a member of the Governor's Safety Council, Ken Lewis, Robert Hall and Frank Brown, and Jay Connelly of AAA. The Committee recommends that the bill ought to pass."

The bill was ordered to a third reading.

On motion of Senator Gove, the rules were suspended to permit a third reading and final passage of the bill at the present time.

Third Reading & Final Passage of Bill

HB 740, to require driver education as a condition to the right of certain minors to obtain operator's license.

On motion of Senator Lamontagne, the Senate refused to reconsider its vote on the above entitled bill.

House Message

The House of Representatives has voted to concur with the Honorable Senate in its amendment to the following entitled bills:

HB 37, relative to the relocation of a portion of the Central New Hampshire Turnpike.

HB 486, relative to future use of portions of the waters of the Lamprey River and/or its tributaries for public water supplies, and to name the dam at Ayers Lake in Barrington.

HB 540, relating to excavating, filling and dredging in and adjacent waters.

HB 228, to make appropriation for the replacement of navigation aids and other purposes.

HB 788, to provide for an optional provision for the custody of the jail and house of correction in Rockingham County.

HB 786, to provide for voting by representative districts for house of representatives and other offices.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 107, extending the term of office of supervisors of the checklist and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House:

Hancock of Concord; Smith of Concord; and Rossley of Portsmouth.

On motion of Senator English, the Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Buchanan and Riley.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following captioned joint resolution sent down from the Senate:

HJR 34, in favor of Albert D. Clarke and Ida M. Clarke, and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: York of Concord; Prescott of Laconia; and Resnick of Manchester.

On motion of Senator English, the Senate voted to accede to the request for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Gardner and Blaisdell.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 771, to legalize the proceedings of the annual town meetings of the town of Waterville on May 5, 1962, May 18, 1963, May 16, 1964 and March 13, 1965 and to regulate election day activities, and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Cole of Swanzey; Capistran of Manchester; and Smith of Plymouth.

On motion of Senator Riley, the Senate voted to accede to the request of the House for a Committee of Conference on the above entitled bill.

Pursuant to the above, the Chair appointed as members of said Committee on the part of the Senate, Senators Buchanan and Riley.

The Message further stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 539, relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack County, and requests a Committee of Conference: the Speaker has appointed as members of said Committee of Conference on the part of the House: Stevens of Epsom; Hanson of Bow; Reddy of Hopkinton; and Fairbanks of Boscawen.

On motion of Senator Lamontagne, the Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee on the part of the Senate, Senators Rinden and Martel.

The Message also stated that the House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 790, legalizing the proceedings of the annual town meeting held in the town of Epping and authorizing an increase or decrease in the Board of Selectmen, and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Schatz of Hill; Crouch of Durham; and Bednar of Hudson.

On motion of Senator Martin, the Senate voted to accede to the request of the House for a Committee of Conference. Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Buchanan and Foley.

Introduction of Guests

As the guests of Senator Gove, Mr. and Mrs. Carl Lopez, and Nancy and David Lopez from New Mexico, and the wife of the Senator, Mrs. Ann Gove.

House Message (continued)

The House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following entitled House Bills, in the adoption of which amendments the House asks the concurrence of the Senate:

SB 82, relative to planning for the future development of Great Bay. Amend section 2 of said bill by inserting after line 13 the following words, U. S. Army Corps of Engineers, the Amend section 3 of said bill by striking out the word "made" in the sixth line.

The Senate voted to concur.

The Message also stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 340, relative to larceny or unauthorized use of a motor vehicle.

Senators Lamprey and Martel offered the following Concurrent Resolution:

Concurrent Resolution creating a Labor-Management Council

Whereas, There is need of a closer liaison between labor and management due to many problems which arise, and

Whereas, Many of these problems occur in the interim between sessions of the general court, and, consequently, much time may elapse before these questions can be settled, thus creating very difficult situations and hardships for the people concerned, and

Whereas, The relations between labor and management have been excellent, therefore be it

Resolved, By the Senate, the House of Representatives concurring, that a Labor-Management Council be created, consisting of nine members, two of whom to be appointed by the president of the senate, three of whom to be appointed by the speaker of the house and four of whom to be appointed by the governor. The council shall hold at least four meetings annually.

Senator Martel: "Mr. President, I am happy to support this Concurrent Resolution. Back in 1949, was when I realized then the service rendered to the State by the Advisory Council relative to the problems of unemployment compensation and workmen's compensation. I believe that by bringing it together this will help to better this relationship and help to bring about a more happy acquaintance between Labor and Management and I am sure it will help greatly to induce industry to locate in New Hampshire. I believe that everything is being done to keep up this relationship at the highest possible level."

On motion of Senator Martel, the Senate voted to adopt the above Concurrent Resolution.

On motion of Senator Tufts, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Tufts, for the Committee on Judiciary:

HB 597, to amend the fixing of lawful speed limits on the highways and to provide for penalties and other sanctions for violation thereof. Ought to pass.

Senator Tufts: "Mr. President, this bill has been extensively amended in the House and I will endeavor to outline to you the gist of it. The phrase 'absolute' limitation that has been spoken of will only apply to the Interstate highways in the State.

"The other speed limit under the law as it exists will be the case on the majority of our state and local highways. The proposal is that these limits will be state-wide. 20 miles an hour—near schools, for protection of school children. 30 miles an hour in any business or urban district. 35 miles an hour in any rural residential district and 60 miles an hour in other areas, except as provided in the recent bill. The speed of 70 miles an hour is restricted to the Interstate system, Central New Hampshire Turnpike and where there are 4 lane divided highways. I would point out that in the original bill, they did consider 65 miles an hour at night and they amended it so that it is 70 in either case of daylight and darkness. We have been informed that the highways will be marked — 70 — absolute speed. Only on 4 lane highways. The next part of the bill deals with local authorities. The final part of the bill indicates that a survey will be conducted by the Commissioner of Public Works & Highways to consider the state highway decision if some changes may be needed. This will be reported back in 1967."

Senator Martel: "Is there any minimum speed? There is no law that someone may be driving so slow as to create a hazard, but there is no miles per hour limit attached to the statutes?"

Senator English: "I would like to clear up the word 'absolute' speed. What is the difference?"

Senator Tufts: "You are only able to drive to the speed of 70 miles per hour — that is the absolute speed."

(Discussion ensued)

Senator Lamprey: "It is the legislative intent when the bill is enacted into law that the term absolute speed applies to all four lane divided highways only."

Senator Martel: "Mr. President, while driving through the state of Vermont, I have noticed that they have a maximum and a minimum speed. I am wondering if there might be merit in changing this bill. . . . I do not wish to hamper this legislation at this time."

Senator Martel: "I fear that at 25 miles per hour, there is too much of a disparity between 25 miles per hour and 70 miles per hour. I think there might be some merit in putting in the minimum at 40 miles."

Senator Tufts: "I believe I have explained it to the extent of my knowledge, and I don't believe I need to suggest to Senator Martel that if he wishes to make a proposal, he may amend this."

Senator English: "I would just like to mention that on occasion, farm trucks and other relatively slow-moving vehicles are on the road. I think this area should be looked into. If you had in mind confining it only to the 4-lane highways, there probably wouldn't be too much of a problem."

Senator Waterhouse: "Is there anything in regard to unreasonable speed in this particular bill? Even if the speed limit is 60 or 70, is this posted as absolute? Is there anything to take care of unreasonableness when there are icy roads or heavy fog?"

Senator Tufts: "Yes, there is, in the beginning of the bill."

On motion of Senator Tufts, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 597, to amend the fixing of lawful speed limits on the highways and to provide for limitations and other sanctions for violation thereof.

On motion of Senator Tufts, the Senate refused to reconsider its vote on the above entitled bill.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills:

HB 739, An Act to establish a state commission for human rights.

HB 223, An Act to regulate extension of operator's licenses of members of armed forces during a war.

HB 608, An Act relative to standards for tires on motor vehicles and trailers.

HB 747, An Act relative to the charter of the city of Manchester.

HB 795, An Act to amend the workmen's compensation law.

SB 57, An Act relative to the power of the governor and council to fix salaries of unclassified positions.

SB 128, An Act relating to the waiver of indictment.

HB 327, An Act relative to the taking, sale, possession and transportation of lobsters and crabs.

HB 32, An Act relative to time for taking deer.

HB 405, An Act to change the fees for lobster licenses and to regulate the taking of lobsters.

HB 567, An Act relative to local options of sale of liquor and beverages in towns and cities.

HB 682, An Act to establish a division of marine fisheries for salt water areas of the state.

SB 48, An Act relating to hairdressers.

SB 117, An Act relating to house boats on Conway Lake and Silver Lake in Madison.

SB 125, An Act relative to state employees' retirement system.

HB 653, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1966.

HB 654, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1967.

Eda C. Martin
For the Committee

The report was accepted.

On motion of Senator Hunter, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Hunter, for the Committee on Public Works & Transportation: HB 729, relative to private water supplies. Ought to pass with amendment.

Amendment to HB 729, relative to private water supplies.

Amend section 2 of the bill by striking out the figure "\$26,900" in the first line and inserting in its place the figure, \$35,672.92 and by striking out the figure "\$28,480" in the second line and inserting in its place the figure, \$38,612.76; and by striking out the figure "1" in the ninth line and inserting in its place the figure, 3, so that the section is amended to read:

2 There is hereby appropriated the sum of \$35,672.92 for the fiscal year 1966 and \$38,612.76 for the fiscal year 1967 to provide the required funds for the operation of the contaminated well program. These funds are made available for the following additional permanent positions within the department of public works and highways:

- 1 CE IV (23)
- 2 CE III (21)
- 3 Water supply technicians (14)

The funds hereby appropriated are a charge on the highway fund.

Senator Hunter: "The bill is a Department of Public Works bill and has to do with salt and other problems in connection with private water supplies, chiefly wells. This money doesn't come out of the general fund, it comes out of the highway department. I would ask that this amendment be accepted."

Senator Lamprey: "This comes from highway funds and is badly needed. We are now 50 or 60 wells behind and the rate of increase is fantastic."

On motion of Senator Lamprey, the rules were suspended to dispense with committee referral to the Finance Committee.

The amendment was adopted and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 729, relative to private water supplies.

On motion of Senator Rinden, the rules were suspended to permit introduction of committee report not previously advertised in the Journal.

Committee Report

Senator Rinden, for the Committee on Judiciary:

HB 777, relative to approved blood tests for military personnel. Ought to pass.

Senator Rinden: "This bill is a slight liberalization of the blood test requirements prior to obtaining a marriage certificate. It permits a blood test to be taken at a military installation and used the same as a blood test made here at the state lab. It is for the convenience of service personnel. It appears to be a perfectly legitimate liberalization of the blood test requirements."

On motion of Senator Rinden, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 777, relative to approved blood tests for military personnel.

Taken from the Table

On motion of Senator Tufts, the following entitled bill was taken from the table:

HB 734, to clarify the procedure on challenges of absentee ballots.

Senator Tufts: "The committee has rectified its error of omission and we have complied with the legal advice. I hope

the Senate will adopt the amendment and move it on to final passage."

Amend RSA 60:9 as inserted by section 1 of the bill by striking out the words "and the manner in which the ballot contained in the envelope does not comply with the provisions of the election law." in the fifth, sixth, seventh and eighth lines so that the section is amended to read:

60:9 Challenges. All absent voter ballots are subject to challenge before their removal from the envelope containing the ballot, but not after. The person who makes the challenge shall state the reason for the challenge. If the ballot is challenged the moderator shall write on the envelope containing the ballot the word "challenged" and the name and address of the voter who makes the challenge. The moderator shall then determine if the challenge to the ballot is well grounded. If the moderator decides that the challenge is well grounded he shall not open the envelope but shall preserve it with the other ballots cast at the election. If the moderator decides that the challenge is not well grounded, he shall open the envelope and proceed to cast the ballot as prescribed in section 8 of this chapter.

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Tufts, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 734, to clarify the procedure on challenges of absentee ballots.

On motion of Senator Lamprey, the rules were suspended to dispense with a public hearing on the following entitled bill:

HB 577, to provide for improved pesticides control.

Senator Lamprey: "I am not too familiar with pesticides but I do know something about money. It doesn't cost the state any money because this pesticide control is 100 percent a

federal program. I asked Senator Tufts to read it over as to its merits, and he tells me the bill is all right."

On motion of Senator Lamontagne, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 577, to provide for improved pesticides control.

Taken from the Table

On motion of Senator English, the following-entitled bill was taken from the table:

HB 693, to regulate the licensing, location, and relicensing of motor vehicle junk yards.

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Lamontagne, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 693, to regulate the licensing, location, and relicensing of motor vehicle junk yards.

On motion of Senator Saggiotes, the Senate refused to reconsider its vote on the above-entitled bill.

On motion of Senator Gove, the Senate declared a Recess.

(Recess)

The Senate re-assembled.

House Message

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following entitled bills:

HB 765, relating to hearings on enactment of building code ordinances.

HB 734, to clarify the procedure on challenges of absentee ballots.

The Message further stated that the House has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 738, permitting state, county and towns to require certain recipients of welfare to perform labor for the state, county or town governments.

SB 133, relating to temporary loans in anticipation of the incurrence of long term debt.

HB 601, relative to licensing of dogs.

HB 404, relating to district and municipal courts.

HB 293, to make available appropriate non-judicial punishment to members of the New Hampshire National Guard.

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the House asks the concurrence of the Honorable Senate:

HB 228, to make appropriation for replacement of navigation aid.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

**An Act
to make appropriation for aircraft rental**

The Message further stated that the House has voted to concur with the Honorable Senate in the passage of the following concurrent resolution:

Concurrent Resolution creating a Labor-Management Council.

Committee of Conference Report

The Committee of Conference to whom was referred HB 107, An Act extending the term of office of supervisors of the

checklist, after considering the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency in the Senate amendment; and

That the Senate recede from its position in adopting the amendment; and

That the House and Senate adopt the following amendment:

Amend the bill by inserting after section 2 the following new section:

3 Filling Vacancies. Amend RSA 55:4 by striking out the entire section and inserting in place thereof the following: 55:4 Vacancies. Vacancies in the board shall be filled by the remaining members. If there is only one member of the board, or if the whole board shall be vacant, the moderator shall make the appointments. Any such appointee shall be of the same political party as the supervisor whose place he is filling and he shall hold office until the next biennial election at which time a successor shall be chosen to hold office for the unexpired term. All such appointments shall be made in writing and be recorded.

Further amend the bill by renumbering section 3 to read section 4.

Conferees for the Senate:

Senator Buchanan of District No. 12

Senator Riley of District No. 14

Conferees for the House:

Mr. Hancock of Concord

Mr. Smith of Concord

Mrs. Rossley of Portsmouth

On motion of Senator Riley, the Senate voted to adopt the report of Committee of Conference.

Taken from the Table

On motion of Senator Gove, the following entitled bill was taken from the table:

HB 59, relative to construction of buildings to be used by the public.

Senator Gove: "Mr. President, this bill was recalled from the Governor's desk. It was found that in the printing of the bill, there was a phrase used that was strictly unconstitutional, the phrase being 'and any future amendments thereto'. I offer this amendment and urge its adoption:

Amend RSA 155:8-a as inserted by section 1 of the bill by striking out the words "and any future amendments thereto", so that the section is amended to read:

155:8-a Requirements. On and after the first of July, 1965, no person shall construct or permit the construction of a building which is to be used by the public and the cost of the construction of which is to be paid for, in whole or in part by state, county or municipal funds, unless there is at least one entrance which is accessible by a ramp with a slope not to exceed a rise of one foot in ten feet which shall be provided with a non-slip surface or ground level entrance into said building, which building shall be provided with toilet facilities, and unless said building meets specifications A 117. 1-1961 of the American Standards Association, making buildings and facilities accessible to, and usable by, the physically handicapped.

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Gove, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 59, relative to construction of buildings to be used by the public.

The Chair declared a fifteen-minute recess.

(Recess)

The Senate re-assembled.

Senator Lamprey presiding.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 674, to create a permanent traffic safety commission and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House of Representatives: Ferguson of Milford; Smith of Plymouth; and Bruton of Manchester.

On motion of Senator English, the Senate voted to accede to the request for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee on the part of the Senate, Senators Gove and Lamontagne.

House Message — First & Second Reading of Concurrent Resolution

Concurrent Resolution for the Appointment of a Committee to Inquire into the Form for an Annual Session. Referred to Judiciary.

Concurrent Resolution

Resolution for the appointment of a committee to inquire into the form for an annual session.

Resolved by the House of Representatives, the Senate concurring,

That the speaker of the House appoint five members and that the President of the Senate appoint two members to serve on a committee to (1) inquire into the most effective form for annual sessions of the Legislature, giving special attention to Concurrent Resolution No. 2 introduced in the present session of the Legislature, but also, considering other proposals; and (2) to study into other mechanics of operation which would promote efficiency in the legislative processes, including the preparation and form of the Journals, and be it further

Resolved, that in connection with (1), the Committee shall report to members of the Legislature not later than July 1, 1966; and in connection with (2) to the members of the Legislature not later than December 15, 1966.

On motion of Senator English, the rules were suspended to dispense with referral to Committee, holding of public hearings, and the above-entitled resolution was taken up at the present time.

On a *viva voce* vote, the motion to suspend the rules carried.

Senator English: "May I explain that this resolution in connection with annual sessions is an essential part of the resolution as passed by the House. The resolution which came to the Senate yesterday gives guide lines for setting up annual sessions. This was in the wisdom of the Judiciary Committee of the House the best way it could be handled. I am not one hundred percent in agreement but it does make sense and the framework can be worked out."

The Concurrent Resolution was adopted.

House Message

The House has voted to concur with the Senate in its amendments to the following bill:

HB 59, relative to construction of buildings to be used by the public.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 771, to legalize the proceedings of the annual town meeting in the town of Waterville on May 5, 1962; May 18, 1963; May 16, 1964; and March 13, 1965.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 693, to regulate the licensing, location and relicensing of motor vehicle junk yards.

HB 729, relative to private water supplies.

Committee of Conference Report

The Committee of Conference to whom was referred Senate Bill 66, entering into the interstate compact on the

placement of children enacting the same into law and for related purposes, having considered the same, report the same with the following recommendations:

That the Senate recede from its position of non-concurrence with the House amendment and that the House recede from its position in adopting the amendment, and that the Senate and House adopt the following amendment:

Amend RSA 170-A:6 as inserted by section 1 of the bill by striking out the section and inserting in its place the following:

170-A:6 Designation of Administrator. I. As used in Article VII of the Interstate Compact on the Placement of Children, the term "executive head" means the governor. The chief of the bureau of child welfare who is in office on the effective date of this chapter shall serve as compact administrator in accordance with the terms of said Article VII.

II. Nothing in this act shall be construed to authorize the establishment of a new division or the hiring of additional personnel to carry out the intent of this compact.

Further amend the bill by adding after section 1 the following new sections:

2 Definition. Amend RSA 170:2 (supp) as amended by 1957, 116:2; 1961, 135:1 and 1963, 40:1 by striking out the section and inserting in its place the following:

170:2 Child-Caring Agency. A child-caring agency is defined for the purposes of this chapter as any person, firm, corporation or association who operates or maintains a boarding home, an agency or institution or foster home for children for part or all of the day or who receives for foster care, control or custody, one or more children under the age of sixteen years unrelated by blood or marriage and separated from parent or guardian, except children committed by a court. The term "child-caring agency" shall not include a bona fide summer camp, a hospital, a public school, a private school approved by the state board of education or a private home in which a child is left by his parent or guardian for temporary care for a period not exceeding thirty days in any calendar year. Such private home shall keep a register of the name and address of each such child, the name and address of his parent or guardian and the dates of his arrival and departure. Such register shall be avail-

able at any time for the inspection of the director of welfare or his authorized representative.

3 Advisory Committee. Amend RSA 170 by inserting after section 170:2 the following new section:

170:2-a Advisory Committee; Establishment, Duties. There shall be a day care advisory committee to the state division of welfare which shall be appointed by the commissioner of health and welfare, subject to the approval of governor and council. The governor shall designate one member of the committee as chairman. The committee shall include representatives from the department of education, the division of public health, the department of safety, and such additional representatives of professional, civic, labor, or other public and private agencies or organizations concerned with day care. The chief of the bureau of child welfare will be an additional member of the committee. Members of the committee shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this chapter. The advisory committee shall advise the welfare division on general and specific policies involved in the provision of day care services.

Further amend the bill by renumbering section 2 to read 4.

Senator Gardner, District 6
Richard D. Riley, District 14
Conferees on the part of the Senate

Cleon Heald
Paul Maxham
William Craig
Conferees on the part of the House

On motion of Senator Riley, the Senate voted to adopt the report of the Committee of Conference.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 662, An Act relative to the salaries of unclassified state officials, having considered the same report the same with the following recommendations:

That the House recede from its position of non-concurrence and the Senate recede from its position of adopting its amend-

ments and that the House and Senate concur in the adoption of the following amendments:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Salaries. Amend RSA 94:1, as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8. 1957, 90:1; 223:2; 274:4, 7; 315:2. 1959, 199:4; 268:12. 1961, 166:5; 221:4; 222:5; 223:4; 266:12. 1963, 39:2; 132:2; 209:2; 328:17; 303:14, by striking out said section and inserting in place thereof the following:

94:1 Salaries Established. The annual salaries for the positions set forth shall be as follows:

	Minimum	Maximum
Governor		\$30,000
Chief justice, supreme court		25,000
Chief justice, superior court		22,000
Associate justice, supreme court (4)		22,000
Associate justice, superior court (7)		20,000
Judges, probate court (10)		6,000
Racing commissioners (3)		3,000
Sweepstakes commissioner, chairman		3,000
Sweepstakes commissioners (2)		2,400
State entomologist		3,500
Adjutant general	\$12,000	13,500
Assistant attorney general (6) *	9,000	13,500
*Notwithstanding the provisions of any other statute, the pay range for the Assistant Attorneys General shall be as set forth in this act.		
Assistant bank commissioner	10,500	12,000
Assistant business supervisor	10,500	12,000
Assistant business supervisor — agriculture	9,000	10,500
Assistant commissioner, public works and highways	15,000	16,500
Assistant to insurance commissioner	9,000	10,500
Assistant state librarian	9,000	10,500
Assistant superintendent, New Hampshire hospital	17,720	20,720
Attorney general	16,000	17,500
Bank commissioner	13,500	15,000
Business supervisor	12,000	13,500
Business supervisor — health and welfare	12,000	13,500
Chairman, water resources board	10,500	12,500

Clerk of supreme court and court reporter	13,500	15,000
Commandant, soldiers' home	8,000	9,500
Commissioner of agriculture	12,000	13,500
Commissioner of department of employment security	16,000	17,500
Commissioner of education	15,000	16,500
Commissioner of health and welfare	16,000	17,500
Commissioner of public works and highways	17,000	18,500
Commissioner of resources and economic development	15,000	16,500
Commissioner of safety	15,000	16,500
Comptroller	16,000	17,500
Counsel, department of employment security	11,300	12,800
Deputy attorney general	13,500	15,000
Deputy bank commissioner	12,000	13,500
Deputy commissioner of education	12,000	13,500
Deputy commissioner of public works and highways	15,000	16,500
Deputy director, New Hampshire distributing agency	7,000	8,500
Deputy director of personnel	10,500	12,000
Deputy insurance commissioner	10,500	12,000
Deputy labor commissioner	8,000	9,500
Deputy registers of probate:		
Rockingham	5,300	6,800
Strafford	4,600	5,930
Belknap	4,600	5,930
Carroll	4,600	5,930
Merrimack	5,300	6,830
Hillsboro	6,200	7,730
Cheshire	4,220	5,330
Sullivan	4,220	5,330
Grafton	4,600	5,930
Coos	4,220	5,330
Deputy secretary of state	10,500	12,000
Deputy state treasurer	10,500	12,000
Deputy superintendent industrial school	8,000	9,500
Deputy superintendent, Laconia state school	15,500	17,000
Deputy warden, state prison	8,000	9,500
Director of aeronautics	12,000	13,500
Director, charitable trusts	4,500	6,000
Director of clinical services	15,500	17,000
Director of clinical and surgical services	15,500	17,000

Director of correctional psychiatry	15,500	17,000
Director, division of accounts	12,000	13,500
Director of division of economic development	12,000	13,500
Director, division of mental health	21,375	24,375
Director of division of parks	12,000	13,500
Director, division of public health services	15,000	16,500
Director, division of purchase and property	12,000	13,500
Director of division of resources and development	12,000	13,500
Director, division of welfare	12,000	13,500
Director of fish and game	12,000	13,500
Director of motor vehicles	10,500	12,000
Director, New Hampshire distributing agency	9,000	10,500
Director, out-patient services	15,500	17,000
Director of personnel	12,000	13,500
Director of probation	9,000	10,500
Director of psychiatric education and research	15,500	17,000
Director of records management and archives	8,000	9,500
Director of safety services	9,000	10,500
Director of state police	12,000	13,500
Director of technical institute	12,000	13,500
Director, veterans' council	8,000	9,500
Executive director, sweepstakes		20,000
General counsel, department of employment security	12,000	13,500
Insurance commissioner	13,500	15,000
Labor commissioner	11,000	12,500
Liquor commissioner, chairman	11,000	12,500
Liquor commissioners (2)	10,500	12,000
Parole officer	9,000	10,500
Public utilities commission, chairman	12,000	13,500
Public utilities commissioners (2)	11,500	13,000
Registers of probate:		
Rockingham		4,600
Strafford		4,400
Belknap		4,400
Carroll		4,400
Merrimack		4,600
Hillsboro		4,800
Cheshire		4,000
Sullivan		4,000
Grafton		4,400
Coos		4,000

Secretary of state	13,500	15,000
Secretary, tax commission	13,500	15,000
Senior psychiatrist	14,600	16,930
State fire marshal	9,000	10,500
State librarian	10,500	12,000
State treasurer	13,500	15,000
State veterinarian	9,000	10,500
Superintendent, industrial school	13,500	15,000
Superintendent, Laconia state school	15,000	16,500
Superintendent, New Hampshire hospital	19,396	22,396
Superintendent, state sanatorium	13,500	15,000
Tax commissioner (2)	10,500	12,000
Warden, state prison	13,500	15,000

Officials named in this section shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and in accordance with RSA 94:3. Racing commissioners, sweepstakes commissioners, and the state entomologist only excepted, any official whose salary upon placement in the new salary range is less than that of a classified employee in his department shall be placed at the next higher step in range above said classified employee and shall be entitled to any increase provided for herein until the maximum is reached.

Notwithstanding any other provisions of law to the contrary, the salaries of Judges of probate court, Deputy registers of probate, and Registers of probate shall be as set forth above.

Nelson E. Howard
Paul E. Provost
Conferees on the part of the Senate

Margaret B. DeLude
Roger A. Smith
Agenor Belcourt
Conferees on the part of the House

On motion of Senator Howard, the Senate voted to adopt the report of the Committee of Conference.

On motion of Senator Tufts, the rules were suspended to permit introduction of committee report not previously advertised in the Journal.

Committee Report

Senator Tufts, for the Committee on Judiciary:

HB 735, to regulate retail installment buying under progressive time contracts. Ought to pass.

Senator Tufts: "This bill has received more than the ordinary consideration by the Judiciary Committee of the Senate. This bill is intended to protect the buyer who purchases under the installment plan, the situation being that if a person buys as many as three appliances under the first contract with no additional cost, a portion of the payment each time would be allocated to the first purchase. The idea behind this bill is that part of each payment goes for the first purchase so that if some purchaser should be unfortunate enough to fail to complete his payments, he would have enough equity in the first one and the seller cannot repossess all three appliances. I want to make this clear so that you would understand that the payments would be pro-rated and if you had enough equity, the seller could not repossess all of the appliances. The latter part of the bill excludes automobiles and real estate. The committee recommends passage."

On motion of Senator Tufts, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 735, to regulate retail installment buying under progressive time contracts.

On motion of Senator Lamontagne, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Lamontagne, for the majority of the Committee on Public Works & Transportation:

HB 534, relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities. Ought to pass.

Senator Hunter for a minority of the Committee on Public Works & Transportation:

HB 534, relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities. Inexpedient to legislate.

Senator Hunter spoke in support of the minority report.

Senator Lamontagne and Senator Gove spoke in support of the majority report.

Senator Martel spoke in support of the majority report.

The majority report was adopted.

On motion of Senator Gove, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bills

HB 534, relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities.

On motion of Senator Gove, the Senate refused to reconsider its vote.

House Message

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 438, to increase the loan and guarantee limits of the Industrial Park Authority and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House of Representatives: Weeks of Greenland; Ferron of Exeter; Scott-Craig of Hanover.

On motion of Senator Foley, the Senate voted to accede to the request for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee on the part of the Senate, Senators Lamprey and Foley.

Special Order of Business for 11:01

Senator Hunter called for the Special Order.

It being: Concurrent Resolution relative to Great Bay.

Senator Hunter: "The Resolution is in the Journal of the House of April 7, 1965 and it was known as the Donnelly Concurrent Resolution. It has to do with Great Bay area. I asked yesterday that this be withheld until we had the bill on Great Bay which passed the House yesterday and was taken directly to the Secretary of State. I wanted these two to go through together. I would ask the Clerk to read the Concurrent Resolution."

Whereas the Great Bay and environs do not adequately provide for public recreational development, and

Whereas the residents of our state living near this area are in need of outdoor recreational opportunities, and

Whereas the provisions of adequate recreation are of both social and economic benefit to our state, now therefore be it

Resolved by the House of Representatives, the Senate concurring,

That it is the consensus of the General Court of New Hampshire that there is need for a coordinated effort by the related state agencies in resource matters to place high priority in their efforts to make long range and immediate plans for appropriate and needed developments of Great Bay and environs with particular emphasis upon the needs of state residents for public recreational facilities.

On a *viva voce* vote, the Resolution was adopted.

Special Order of Business for 11:02

Senator Hunter called for the Special Order.

It being: HB 736, to regulate the recording of deeds in subdivision of land plats.

Senator Hunter: "I had the original bill and when I found that the corrected copy had changed it considerably I requested the Special Order so that I might study the matter further. I have no opposition to the bill as it stands now. The bill makes it necessary that lots to be sold have to be O.K.'d by local planning boards and that any subdivision that is made and sold without

permission of the local planning boards are subject to a fine. I believe the penalty is \$100 a lot for anything sold."

On a *viva voce* vote, the bill was ordered to a third reading.

On motion of Senator Hunter, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 736, to regulate the recording of deeds in subdivision of land plats.

The Chair declared a recess.

(Recess)

The Senate re-assembled.

Senator Lamprey presiding.

Bill Recalled from Governor

Upon motion by Senator Riley, the following entitled bill was recalled from the Governor:

HB 769, clarifying duties, responsibilities and qualifications in the department of health and welfare.

Upon motion of Senator Blaisdell, the rules were suspended to reconsider the vote whereby the bill was ordered to a third reading and final passage.

The bill now being on second reading, Senator Buchanan moved it be laid on the table.

On a *viva voce* vote, the motion carried.

On motion of Senator Mitchell, the rules were suspended to permit introduction of a committee report not previously advertised in the Journal.

Committee Report

Senator Mitchell for the Committee on Agriculture: HB 424, relative to the use of electric fences. Refer to Legislative Council.

Senator Mitchell: "At the hearing those who spoke in favor admitted it would probably have to have some changes made. The enforcement of it was supposed to be in the Fire Marshal's office and he was at the hearing and he wasn't pleased with that. We recommend this be referred to the Legislative Council for further study."

On a *viva voce* vote, the report of the committee was accepted.

Senator English presiding.

House Message

The House of Representatives has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled Joint Resolution:

HJR 47, in favor of Albert D. Clarke and Ida M. Clarke.

Committee of Conference Report

The Committee of Conference to whom was referred HB 790, An Act legalizing the proceedings of the annual town meeting held in the town of Epping, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency with the Senate amendment; and that the Senate recede from its position in adopting the amendment; and that the House and Senate concur in the passage of the bill.

Senator Buchanan of District No. 12

Senator Foley of District No. 24

Conferees on the Part of the Senate

Mr. Shatz of Hill

Mr. Crouch of Durham

Mr. Bednar of Hudson

Conferees on the Part of the House

On motion of Senator Buchanan, the Senate voted to concur.

House Message

The House of Representatives has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 790, legalizing the proceedings of the annual town meeting held in the town of Epping.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey, for the Committee on Finance:

HB 58, relating to radiation protection. Ought to pass.

Senator Lamprey: "This is a bill that sets up a standard of fees for inspection of radioactive materials such as X-Ray machines, therapeutic machines and all types of X-Ray equipment. There is in the general budget an appropriation for this radiation protection device and, therefore, the Committee on Appropriations of the House took off all the appropriation. What we are actually doing is passing a radiation protection type of legislation to see that the rooms have proper shields, that they are being used in the proper manner and that the operators have the right protective equipment. We recommend its passage."

Senator Lamontagne moved HB 58 be indefinitely postponed and spoke in favor of the motion: "I have received opposition to this bill. Personally, at this late hour, I think we need a public hearing and I think we are getting into something I am afraid would hurt some people. One of the reasons I make this motion is because it is so late in the session."

Senator Foley spoke in opposition to the motion: "By the number of the bill, HB 58, I should say it was put in early and evidently had a public hearing in the House. I see no reason why it should be indefinitely postponed if it has the merit Senator Lamprey stated."

Senator Blaisdell spoke in opposition to the motion.

Senator Lamprey: "I would like to state this has been looked into in some degree this afternoon by some of the members of the Senate Finance Committee. We asked Margaret Normandin if she would give us the details on this bill. She got a radiologist and we went over this bill with him and we think it is a bill that is for the best interest of the citizens of the State. I would hate to see it lost because one or more people might be in opposition to the fee attached to it."

Senator Lamontagne: "I received letters from doctors and they opposed the bill. I am going by what information has been given to me. There seemed to be concern about X-Ray machines in the hospitals."

Senator Blaisdell moved the previous question.

On a *viva voce* vote the motion carried.

Question now being on the adoption of the motion to indefinitely postpone offered by Senator Lamontagne.

On a *viva voce* vote the motion was defeated.

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to place the above-entitled bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 58, relating to radiation protection.

On motion of Senator Blaisdell, the Senate refused to reconsider its vote on the above-entitled bill.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey, for the Committee on Finance:

HB 679, to create a joint state-capital city planning board. Ought to pass.

Senator Lamprey: "I will yield to Senator Gove."

Senator Gove: "This is something the city government has gone into to some extent and also the Chamber of Commerce. We have a lovely civic center in Concord and we would like to be able to maintain and improve upon it. We feel this takes planning and cooperation for the city and state and this is the first step along that line. We feel this is a very fine bill. There is no appropriation."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to place the above-entitled bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 679, to create a joint state-capital city planning board.

On motion of Senator Tufts, the Senate refused to reconsider its vote on the above-entitled bill.

Senator Lamprey requested a recess to 6:45 p.m.

Recess

The Senate re-assembled.

Message by the Chair

“The Chair would state that there has been called to his attention certain information which the Senate itself should be fully informed about and that is the operating budget. In order to start off the conversation, I would ask the Clerk to read the letter which I have received from the Governor.”

On motion of Senator Johnson, the Senate resolved itself into a Committee of the Whole. Senator English was named to preside.

(Committee of the Whole)

The Senate in regular session.

The Chair inquired as to the wishes of the Senate — perhaps to Recess for one and one-half hour for dinner?

Senator Martel inquired: “Mr. President, what about the House? We understand that they are going to Recess and are coming back tomorrow morning at 10 o’clock.”

Senator Lamontagne: “Mr. President, I suggest that the President get together with the Speaker and find out, and suggest what will be done.”

The Chair declared a brief Recess.

Recess

The Senate re-assembled.

House Message

The House of Representatives has voted to concur with the Senate in its amendments to the following entitled bill:

HB 782, making appropriations for capital improvements and long term repairs for the state of New Hampshire.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 662, relative to the salaries of unclassified state officials.

The House of Representatives has voted to adopt the recommendation of the Committee of Conference Report to whom was referred the following entitled bill:

HB 539, relative to the salary of, and amount of fees to be collected by the register of deeds for Merrimack County.

Message by the Chair

"The Chair would state that the House has recessed until 10 o'clock tomorrow morning. There is not much else that we can do without being able to receive and transmit messages."

Senator Foley inquired: "Mr. President, what about HB 499 (the chiropractor bill) will it be brought in tomorrow morning?"

The Chair: "That was sent to Finance and there is no money in it. We have not yet met today. We will meet tomorrow."

Senator Howard: "Mr. President, we might hear it tomorrow."

Senator English inquired: "Mr. President, if we Recess until 10 o'clock tomorrow morning, do you have any idea when we might adjourn?"

Senator Howard inquired: "Mr. President, in meeting tomorrow morning, we will still be in today's session?"

The Chair: "Yes."

The Chair declared a Recess until tomorrow morning at 10 o'clock.

Recess

The Senate re-assembled.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 403, relating to fish bait, taking of pheasants, and use of boats on Long Pond in Benton.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 1 of the bill by striking out lines 1 and 2 and inserting in place thereof the following:

1 Bait Dealers. Amend RSA 214 by inserting after section 34 as amended by 1957, 267:2 the following new sections:

Further amend section 1 by striking out line 39 and inserting in place thereof the following:
fish from the same source of supply. Notification of each intent to import shall be

Amend section 2 of the bill by striking out lines 1 and 2 and inserting in place thereof the following:

2 Taking of Pheasants. Amend RSA 209:2 as amended by 1957, 80:1 and 1963, 307:1 by striking out the section and inserting in place thereof the following:

The Senate voted to concur.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 534, relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the first two lines and inserting in place thereof the following:

2 Exemption. Amend RSA 265:2 by inserting after paragraph VII (supp) as inserted by 1959, 266:1 the following new paragraph:

The Senate voted to concur.

Introduction of Guests

As the guests of Senator Gove, Mr. and Mrs. George Oldfield of Westfield, New Jersey, a couple that he knew many, many years ago when they were romancing and the union has borne fruit.

Introduction of Guest

Senator Martel: "Monsieur le Président, je suis très heureux en ce moment de vous présenter, à vous et mes collègues, mon cousin, venant de Drummondville, dans la belle province de Québec, Monsieur Martin Courchesne."

Translation:

Senator Martel: "Mr. President, I am very happy at this moment to present to you and my colleagues, my cousin who comes from Drummondville in the beautiful Province of Quebec, Mr. Martin Courchesne."

Senator Martel: "Mr. President, on each desk of the Senators are copies of the French paper in Manchester, of which I am the President and have served as the Secretary since it was founded in 1950. It just happens that my picture is on the second, third and fourth page in case someone may want a souvenir. This was a special edition."

Taken from the Table

On motion of Senator Johnson, the following entitled bill was taken from the table:

HB 769, clarifying duties, responsibilities, and qualifications in the department of Health & Welfare.

Senator Johnson offered the following amendment:

Amend the bill by striking out section 8 and inserting in place thereof the following:

8 Board of Public Welfare. Amend RSA 126-A:23 as inserted by 1961, 222:1 by striking out the words "Except that the

commissioner of health and welfare, or his designated representative, shall conduct fair hearings of appeals by applicants for and recipients of public assistance" so that said section as amended shall read as follows: 126-A:23 Board of Public Welfare; Powers and Duties Transferred. All of the functions, powers, duties, records and property of the board of public welfare are hereby transferred to and vested in the department of health and welfare, division of welfare. Whenever reference is made in the statutes to powers and duties of the board of public welfare it shall henceforth be construed to mean the director of the division of welfare within the department of health and welfare. The board of public welfare, established by RSA 161:3 is hereby abolished. The tenure of members of the board shall terminate upon the appointment and qualification of the commissioner of health and welfare.

Senator Johnson: "Mr. President, this is an error that was caught by the Engrossed Bills Committee; a section was left out of the House Journal. This puts it back as it was meant to have been in the first place."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Johnson, the rules were suspended to place the above entitled bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 769, clarifying duties, responsibilities, and qualifications in the department of Health and Welfare.

Engrossed Bills

Senator Martin, for the Committee on Engrossed Bills:

HB 378, establishing a mosquito control commission.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend said bill by inserting before section 1 the following:

1 New Chapter. Amend RSA by inserting after chapter 437 the following new chapter:

Chapter 437-A

Mosquito Control

Further amend said bill by renumbering sections 1 to 12 to read 437-A:1 — 437-A:12 inclusive.

Further amend said bill by renumbering section 13 to read section 2.

The Senate voted to concur.

Senator Martin, for the Committee on Engrossed Bills:

HB 592, providing additional retirement allowances for certain retired state employees.

Report the same under Joint Rule No. 6 with the following amendment and recommend that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the second line the following:

as inserted by 1957, 207:1

The Senate voted to concur.

Senator Rinden offered the following Resolution:

Resolution

Whereas, The saying of the Lord's Prayer is a part of our constitutional heritage; and

Whereas, The recitation of this prayer is in reality a symbol of our religious freedom; and

Whereas, The people of New Hampshire have expressed so strong an opinion in this matter that one of our Congressional representatives has offered an amendment to the Constitution of the United States relative to prayer in our schools; now, therefore, be it

Resolved by the Senate of the General Court of New Hampshire

That our Congressional Delegation be requested to support an amendment to the United States Constitution permitting the recitation of the Lord's Prayer in our schools, and be it

Further Resolved, That the people of this country be permitted and given an opportunity to vote on whether they desire such an amendment.

Senator Rinden spoke in support: "Mr. President, this is the identical Resolution that was passed by the House last Wednesday. The Resolution in the House was a simple Resolution and did not come into the Senate. I am offering it here in the Senate now so that both Houses may pass the same Resolution. As you may know, the original Prayer Resolution offered by me is bogged down in a Committee of Conference and so I was particularly pleased when this Resolution passed the House. This Resolution gives us a clear-cut sentiment of the Legislature. It passed the House overwhelmingly with very little dissension. It is a real pleasure for me at this time to offer this Resolution."

Senator Gove: "Mr. President, I wish to be recorded as being against this Resolution."

Senator Martel: "Mr. President, I am happy to associate myself with my colleague from the 15th District in supporting this Resolution. I would like to see our people go back to the days when this country was founded. Our forefathers were religious people and placed their confidence in Almighty God; notwithstanding whether they were of the Protestant, Catholic or Jewish faith. As long as we are conscious of a Supreme Being, how can we believe very differently, when just a few days ago, we observed two human beings going out into space. How can we, when we seriously think about these things, think that these things are by pure hazard? Certainly not. There is a Supreme Being who watches over all of us. When the day comes that we as Americans cannot pay homage to Him, this will not be right. If we were to follow those pious efforts of yesteryear, of those who prayed every morning and prayed when going to bed, there is no question in my mind but what we would be the strongest nation in the world. It is not a question of our being with Him; the question is having Him with us. I am very happy to support this Resolution and by doing so, our children will be given the opportunity every day to pay homage to the Creator."

Senator Martin: "Mr. President, I rise in support of this Resolution. I can see no harm and I can see a lot of good to us for anyone offering a prayer at any time and in any public place for all the good things that are ours. I cannot understand why

anyone can object to prayers in public places. One of my fondest memories is of my Father who read the Bible before he retired at night. I think if that was done today as it used to be, our country would be a better place in which to live and our people would get along better together. I wish to be recorded as 100% in favor of this Resolution."

On a *viva voce* vote, the Resolution was adopted.

Senator Gove voting no.

House Message

The House has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendment the House asks the concurrence of the Senate:

HB 37, relative to the relocation of a portion of the Central New Hampshire Turnpike.

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 Central New Hampshire Turnpike. Amend RSA 257-A:1 as inserted by 1963, 281:1 by inserting after the word "Nashua" in the

The Senated voted to concur.

HB 765, relating to hearings in enactment of building code ordinances.

Amend section 1 of the bill by striking out the first two lines and inserting in place thereof the following:

1 New Sections. Amend RSA 156-A by inserting after 156-A:1 as inserted by 1959, 215:1 and amended by 1963, 232:2 two new sections as follows:

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Takes Effect. This act shall take effect January 1, 1966.

The Senate voted to concur.

The Message further stated that the House has voted to concur with the Senate in its adoption of the amendments of-

ferred by the Committee on Engrossed Bills to the following entitled bill:

HB 121, relating to the bounty on bobcats.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 751, relative to state flags.

HJR 46, to establish an interim study on uniform vehicle laws.

The Message also stated that the House has voted to concur with the Senate in its adoption of the amendments by the Committee on Engrossed Bills to the following entitled bills:

HB 592, providing additional retirement allowances for certain retired state employees.

HB 403, relating to fish bait, taking of pheasants, and use of boats on Long Pond in Benton.

HB 378, establishing a mosquito control commission.

HB 534, relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities.

The Message also stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 769, clarifying certain duties and qualifications in the department of mental health and welfare.

Committee of Conference Report

The Committee of Conference to whom was referred HB 539, relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack county, having considered the same, report the same with the following recommendation:

That the House recedes from its position of non-concurrence to the Senate amendment of section 6 of the bill, and con-

curs in the Senate amendment of section 6; and that the Senate recedes from its position in its amendment in inserting section 7 and from its position renumbering section 7 to read section 8.

Conferees for the Senate

Sen. Rinden of Dist. No. 15

Sen. Martel of Dist. No. 17

Conferees for the House

Mr. Stevens of Epsom

Mr. Hanson of Bow

Mr. Fairbanks of Boscawen

The Senate voted to adopt the Committee of Conference report.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and Joint Resolutions:

HB 500, An Act relating to hospital survey and construction.

HB 678, An Act to aid a program for the talented student.

HB 788, An Act to provide for an optional provision for the custody of the jail and house of correction in Rockingham County.

SB 107, An Act establishing a committee to investigate the relationship between salaries of personnel of the University of New Hampshire, Keene and Plymouth state colleges and classified state employees, and to investigate the effect of hiring of retired persons in the classified service.

HB 267, An Act relative to building and loan associations.

HB 667, An Act relating to hearings in enactment of zoning ordinances by towns.

HB 745, An Act to amend the law relating to real estate brokers and salesmen.

HJR 19, Joint Resolution relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham.

HB 374, An Act to clarify the area school plan and the law relating to the school building authority.

HB 792, An Act to establish a new apportionment for the assessment of public taxes.

SB 130, An Act relative to filing dates in primaries.

SB 126, An Act relating to absentee voting at annual city elections in Berlin.

HB 734, An Act to clarify the procedure on challenges of absentee ballots.

HB 738, An Act permitting state, county and towns to require certain recipients of welfare to perform labor for the state, county, or town government.

SB 133, An Act relating to temporary loans in anticipation of the incurrence of long term debt.

HB 228, An Act to make appropriation for aircraft rental.

HB 293, An Act to make available appropriate non-judicial punishment to members of the New Hampshire National Guard.

HB 540, An Act relating to excavating, filling, and dredging in and adjacent to waters.

HB 601, An Act relative to licensing of dogs.

HB 59, An Act relative to construction of buildings to be used by the public.

HB 404, An Act relating to district and municipal courts.

SB 64, An Act relative to the practice of architecture.

SB 82, An Act relative to planning for the future development of Great Bay.

HB 786, An Act to provide for voting by representative districts for house of representatives and other offices.

HB 396, An Act to provide a procedure for final payment to contractors on public contracts.

HB 486, An Act relative to future use of portions of the waters of the Lamprey river and/or its tributaries for public water supplies, and to name the dam at Ayers Lake in Barrington.

HB 660, An Act relative to a study for an east-west highway.

HB 777, An Act relative to approved blood tests for military personnel.

HB 796, An Act providing for additional appropriations to meet certain contractual deficiencies.

HB 597, An Act to amend the fixing of lawful speed limits on the highways and to provide for penalties and other sanctions for violation thereof.

Eda Martin
For the Committee

The report was accepted.

The Chair recognized Senator English: "Mr. President, it appears that when Concurrent Resolution No. 2 relative to annual session of the General Court, was before the Senate, the Resolution was not carried through in accordance with the rules promulgated at the beginning of this session. It is my belief that this Concurrent Resolution has been ordered to a third reading, but this was not done, I would therefore ask that it be done now. I would ask unanimous consent that the provisions of re-consideration be waived and that it be on second reading now."

Question being: Shall the Concurrent Resolution be ordered to a third reading? This will take a 60% vote.

The Chair requested a Division.

Eighteen Senators having voted in the affirmative, and one Senator voted in the negative, the motion carried.

On motion of Senator English, the rules were suspended to place on third reading and final passage at the present time.

Third Reading & Final Passage of Concurrent Resolution

Concurrent Resolution No. 2 (relative to annual sessions of the General Court) .

By Division vote of eighteen votes in favor, and one vote against, the above Concurrent Resolution No. 2 was read a third time and passed.

Senators Martin and Gardner offered the following Resolution:

Resolution

regarding payment for work to temporary seasonal employees.

Whereas, Temporary seasonal personnel have not benefited, except upon a provisional basis, by the increase in salary as have the classified state employees, as enacted into law at this session of the general court, and

Whereas, It is understood that the Director of Parks can, with the consent of the Governor and Council, raise these salaries, therefore be it

Resolved, That it is the consensus of the Senate that temporary seasonal employees performing the same work as classified employees should receive equal pay for the same.

The Resolution was adopted.

On motion of Senator Martel, the following Resolution was adopted:

Resolution

Resolved, That the President of the Senate and the Minority Leader of the Senate be requested and instructed to edit the proceedings of the JOURNAL of the final day's proceedings.

Introduction of Guest

As the guest of Senator Foley, Senator-elect Claveau District No. 13, who has a seat that is going to be re-districted.

Message from the Chair

"The Chair would state that there is a recount that will start shortly after noon and if we could get some volunteers to help, it would be appreciated."

Senator Foley stated that she would be very happy to volunteer; also Senator Saggiotes, Senator Riley and Senator Green.

The Chair recognized Senator Mitchell, under personal privilege: "Mr. President, before it gets heated up, outside and in, I would take this opportunity to express to the members of this Senate, the pleasure that it has been for me to serve here

with this honorable body. I wish to take this opportunity also to say to the members that shared my opinions, and to those who did not, I hold no animosity whatsoever. Also, I wish to express my appreciation for the cooperation that I have received from the attaches. Furthermore, if you happen to be going up Route 93, about 4 miles beyond Plymouth, there is a sign that says Bog Road — about 4 miles beyond, you will see a sign that says 'maple syrup' — everybody — including the attaches — are welcome. Drop in — of course, not all at once."

Senator Martel inquired: "Were those last remarks a commercial?"

Senator Mitchell: "I just threw that in for what it was worth."

The Chair declared a Recess, subject to the call of the Chair.

(Recess)

Senator English presiding.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey for the Committee on Finance: HB 65, relating to Stafford House at Plymouth State College. Ought to pass with amendment.

Amend the title to the bill by striking out the same and substituting therefor the following:

An act relating to appropriations for the University of New Hampshire.

Further amend the bill by striking out everything after the enacting clause and inserting in place thereof the following:

1. Whenever for the purpose of determining any appropriation for higher education enacted by Laws of 1965 the governor and council are required to determine the amount by which the general fund unappropriated surplus exceeds the estimated general fund unappropriated surplus, the Legislative Budget As-

sistant shall furnish to governor and council the amount of the estimated general fund unappropriated surplus by July 31, 1965.

2. Effective Date. This act takes effect on passage.

Senator Lamprey: "This is the result of the Committee of the Whole we held yesterday here in the Senate Chamber. It is now my understanding that the footnote which pertained to the second year of the biennium on the general operating budget of the State was in good and proper order. This amendment only states that the Legislative Budget Assistant will furnish the figure to the Governor and Council. If it must be a face saving device, I am in favor of it. Certainly let it be spread upon the record of the Senate that for such a minor problem the letter that was directed yesterday to the Chairman of the Finance Committee was totally, completely unnecessary in its contents. I might state that the Governor was in error yesterday when he sent me a communication relative to another matter but I can overlook this purely and simply as the fact he was in error, understand it and let it go."

Senator Johnson: "There has been some indication in the press and elsewhere that the budget was being held up yesterday because of the need for this amendment. The facts are as follows, as I understand them at this time. Yesterday morning at 10:10 a.m. the general budget was signed by the Senate President. It was then taken to the Governor. This is the budget for both the first and second years of the biennium. If the Governor had signed the budget at that time for the first year of the biennium, the checks would have gone out to the State employees at once by mail in the usual course of events. Checking with Mr. Flanders, he tells me that on Thursday noon or the day before at noon, he mails out the checks. The checks were ready to go. Had the Governor signed the budget for the first year of the biennium, they could have gone out in the regular course of events. It is perfectly obvious to everybody that this footnote that concerned the Governor dealt with the second year of the biennium so there was no need to hold up this signing of the budget bill for the second year. The impression was tried to give to people that checks were held up because of some error on our part. Last evening I am told at approximately 9:00 he did sign the budget bill for the first year of the biennium because it became perfectly obvious to everyone, including the Governor, that his objections dealt only with the second year. At that time,

checks were mailed out in a great hurry. Some checks were sent out through the Highway Department and I believe all the employees are paid today. The record should clearly indicate that every State employee would have gotten his check in the usual course of events through the mail if the Governor would only have signed the budget for the first year of the biennium. If the obvious has to be stated, let's state the obvious. This simply says on a certain date the Governor will be given the facts and figures which he could have asked for at any time."

The amendment was adopted and the bill as amended was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading and Final Passage of Bill

HB 65, relating to appropriations for the University of New Hampshire.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey for the Committee on Finance: HB 701, relative to the purchase of supplies by the department of public works and highways for sale to other departments and institutions of the state and to subdivisions of the state. Ought to pass.

Senator Lamprey: "This allows the State Highway Department to sell equipment or anything they might purchase to other departments of the State and it shall be treated as income to the Highway Departments. It is a bookkeeping procedure and is merely to help the Director of Purchase and Property with a procedural matter. It carries no appropriation."

The bill was ordered to a third reading.

On motion of Senator Lamprey, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 701, relative to the purchase of supplies by the department of public works and highways for sale to other departments and institutions of the state and to subdivisions of the state.

On motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey for the Committee on Finance: HJR 20, to provide funds for grants-in-aid to local public libraries. Ought to pass.

Senator Lamprey: "This carries a \$28,000 appropriation which is for the smaller libraries of the State and particularly for the furnishing of the bookmobile and books for the bookmobile. This is a project which was started four or five years ago and is considered to be an excellent one."

The bill was ordered to a third reading.

Upon motion of Senator Lamprey, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HJR 20, to provide funds for grants-in-aid to local public libraries.

Upon motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey for the Committee on Finance: HB 533, to provide an access road to the Loon Mountain Recreational Area. Ought to pass.

Senator Lamprey: "This carries an appropriation of \$5,000 for engineering for an area which it is hoped will be developed in the White Mountains near Lincoln. It also allows the Industrial Park Authority to grant the right to go in and develop this

area; but, if they do use this money, it has to be returned to the Industrial Park Authority. In order to promote the recreational business in the north country, it is hoped that the Senate will concur with this legislation."

Senator Mitchell spoke in favor of the bill.

The bill was ordered to a third reading.

Upon motion of Senator Lamprey, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 533, to provide an access road to the Loon Mountain Recreational Area.

Upon motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey for the Committee on Finance: HB 600, entering into the New England Interstate Planning Compact and for related purposes. Ought to pass.

Senator Lamprey: "The title pretty well explains this. It creates a New England Compact for planning and it gives a greater degree of integration of the present facilities which are now available to all of the New England States. It does not carry an appropriation but it should be endorsed by the Senate in order to give greater facilities for planning in the area."

The bill was ordered to a third reading.

Upon motion of Senator Provost, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 600, entering into the New England Interstate Planning Compact and for related purposes.

Upon motion of Senator Lamprey, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Lamprey for the Committee on Finance: HB 177, authorizing training of auxiliary state police. Ought to pass with amendment.

Amend the bill by striking out section 2 and inserting in place thereof the following: 2 Appropriation. There are hereby appropriated from the highway fund for the purposes of RSA 106-B: 18-24 the sum of fifteen thousand dollars for the biennium ending June 30, 1967.

Senator Riley: "This bill is for a state police auxiliary to be used to augment our regular State police force in times of need on weekends when they would have heavy traffic, etc. These officers will all be men with a background of previous police work. Some will be sheriffs or ex-police officers. I feel this is excellent legislation. I think it is imperative our police force have this auxiliary to back them up in time of need."

The bill was ordered to a third reading.

Upon motion of Senator Riley, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 177, authorizing training of auxiliary state police.

Senator Foley: "I have had calls about HB 499. It has no appropriation. I wonder if they will keep it in committee or will it be brought on the floor."

Senator Lamprey: "It was voted within the Committee not to bring out HB 499."

Senator Foley moved to discharge the following entitled bill from the Committee on Finance:

HB 499, relative to the board of chiropractic examiners.

Senator Foley demanded a Roll Call on this motion.

The following named Senators voted in the affirmative: Lamontagne, Riley, Rinden, Martel, Tufts, Foley.

The following named Senators voted in the negative: Mitchell, Lamprey, Gardner, Howard, Saggiotes, Buchanan, Green, Provost, Waterhouse, O'Gara, Hunter.

Six Senators having voted in the affirmative, and eleven Senators having voted in the negative, the negative prevailed and the motion was defeated.

Upon motion of Senator Buchanan, the rules were suspended to permit introduction of a Committee Report not previously advertised in the Journal.

Committee Report

Senator Buchanan for the Committee on Banks, Insurance & Claims: HB 538, relating to motor vehicle liability insurance. Ought to pass with amendment.

Upon motion of Senator Buchanan the reading of the amendment was dispensed with.

Amend HB 538 by striking out the title and everything after the enacting clause and inserting in place thereof the following:

Amendment

HB 538 An act relating to regulation of small loans.

1. Amend RSA 399-A:14 (supp.) as inserted by 1961, 245:1 and amended by Laws of 1965 by striking out the words "(c) allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted" so that notwithstanding any law to the contrary said section shall read as follows:

399-A:14 Investigation of Application; License Requirements. Upon the filing of such application and the payment of such fees, the commissioner shall send a notice of the pending application to all licensees in the community in which the applicant proposes to do business and he shall investigate the facts concerning the application. Every licensee so notified shall have ten days after the date of notification to file a notice of objection to the granting of such application. Within ten days thereafter the objecting licensee shall file a statement supporting his objection. Failure to file such statement within such period of time shall be deemed withdrawal of such objection. If the commissioner shall find that (a) the financial responsibility, experience, character and general fitness of the applicant are such as to

command the confidence of the public and to warrant the belief that the business will be operated lawfully, honestly and fairly within the purposes of this chapter; and that (b) the applicant has available for use in such business at the location specified in the application at least twenty-five thousand dollars, or, in the case of the licensee, has such amount available or actually invested in loans made under this chapter, he shall enter an order approving such application and deliver a license to the applicant. If the commissioner shall not so find, he shall enter an order denying such application and forthwith notify the applicant of the denial, returning the license fee.

2. Effective date. This act shall take effect 61 days after its passage.

Senator Buchanan: "There is no more bill. The bill is the amendment or the amendment is the bill, if you will. This is an odd situation. A bill sits on the Governor's desk waiting for his signature or veto. There is reason to believe the Governor may veto the bill because of an amendment which was added in this body and passed by both houses. Since we were not the last body to act on the bill, it is not within our province to request a return of the bill from his desk. This is a parliamentary device. It is not underhanded! It is just the device whereby we can put on the Governor's desk a bill which, in fact, will allow him to sign the previous bill in question which itself may be obnoxious to him because of the amendment. He can sign that bill and if this bill at hand is enacted by the two Houses and put on his desk, his signing of this bill will immediately nullify that portion of the bill already on his desk which would cause him to veto the entire bill."

Upon motion of Senator Lamprey, the Chair declared a one minute recess.

(Recess)

The Senate reassembled.

Senator Buchanan: "The amendment to the original bill has to do with the so-called convenience and advantage clause in the Small Loans Act whereas the original bill to which it was attached has to do with building and loan and cooperative banks within the State. That portion of the bill is essential to that phase of the banking fraternity and we are most anxious to save that portion of the bill which has already passed both Houses."

Senator Lamontagne: "Is this to take something out of the bill which is in the bill the Governor wishes to veto?"

Senator Buchanan: "That is correct. He can't veto or sign part of a bill."

Senator Lamontagne: "Is it the intention of this amendment to correct something that is in the bill already pending?"

Senator Buchanan: "Yes."

Senator Lamontagne: "I always felt in order to do what you want to do, it had to become law and then come in with another bill to correct it."

Senator Buchanan: "This amendment was suggested by the Governor's Legislative Counsel."

Senator Lamprey: "I think this clause takes out the convenience and advantage clause so far as small loans are concerned, which the Governor finds objectionable. This amendment will correct this situation so that the Governor can go ahead and sign the original bill and, in effect, this bill will nullify that convenience and advantage clause which he now finds objectionable and leave the rest of the bill on the Governor's desk intact."

Upon *viva voce* vote, the amendment was adopted and the bill as amended was ordered to a third reading.

Upon motion of Senator Buchanan, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 538, relating to regulation of small loans.

The Chair declared a recess.

Recess

The Senate reassembled.

Conference Committee Report

The Committee of Conference to whom was referred HB 674, to create a permanent traffic safety commission, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence in the Senate amendment and concur with the Senate in adopting the Senate amendment, and that the House and Senate concur in adopting the following amendment:

Amend section 2 of the bill by striking out the section and inserting in its place the following:

2 Appropriations. The sum of twenty-four thousand, nine hundred seventy-six dollars and twenty-four cents is hereby appropriated for the fiscal year ending June 30, 1966, to be expended as follows:

Permanent personnel services	\$12,174.24
Current expenses	9,400.00
Travel	1,000.00
Equipment	1,500.00
Other Expenditures	902.00

The sum of twenty-four thousand, eight hundred eighty-one dollars and eighty-two cents is hereby appropriated for the fiscal year ending June 30, 1967, to be expended as follows:

Permanent personnel services	\$12,754.82
Current expenses	10,000.00
Travel	1,000.00
Equipment	200.00
Other Expenditures	927.00

The above appropriations shall be a charge against the highway fund.

Further amend the bill by striking out section 4 and inserting in its place the following:

4 Effective Date. This act takes effect upon its passage.

William P. Gove
Laurier Lamontagne
Conferees on the Part of the Senate
Charles W. Ferguson
Stephen W. Smith
George A. Bruton
Conferees on the Part of the House

The Senate voted to adopt the Committee of Conference report.

Committee of Conference Report

The Committee of Conference to whom was referred HB 438, to increase the guarantee limits and powers of Industrial Park Authority, having considered the same, report the same with the following recommendations:

That the house recede from its position of nonconcurrence;

That the senate recede from its position in adopting its amendment; and

That the senate and house concur in the adoption of the following amendment:

Amend the bill by inserting after section 5 a new section as follows:

6 Small Colleges. The Coordination Board of Advanced Education shall make a study of the possibility and feasibility of the state guaranteeing construction loans for small colleges. The board shall also make a study of the coordination of physical facilities between the state and the small private colleges. The board shall report its findings and recommendations to the 1967 session of the general court during the month of January, 1967.

Amend the amending clause of section 2 of the bill by striking out the amending clause and inserting in its place the following:

2 New Machinery and Equipment. Amend RSA 162-A by inserting after section 14-a as inserted by 1961, 246:1 and as amended by 1963, 155:6 the following new section:

Further amend the bill by renumbering section 6 to read section 7.

Stewart Lamprey
Eileen Foley
Conferees on the part of the Senate

Edna B. Weeks
Albert J. Ferron
Mary M. Scott-Craig
Conferees on the part of the House

On motion of Senator Foley, reading of the Committee of Conference was dispensed with.

On motion of Senator Foley, the Senate voted to adopt the Report of the Committee of Conference.

House Message

The House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill, sent down from the Senate:

HB 65, relating to appropriations for University of New Hampshire and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Craig of Manchester; Stevens of Epsom; and Stafford of Laconia.

On motion of Senator Riley, the Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair named as members of said Committee of Conference on the part of the Senate, Senators Lamprey and Gove.

The Chair recognized Senator Lamontagne, under personal privilege: "I have asked the President if I might be excused and I certainly would not want to leave without saying that I am very happy to have served with all of you. If you come up my way some time this summer, drop in and I would like to have all the Senators know that I am planning to arrange to have all the Senators come up to the north country and go up on Mt. Washington. Thank you very much."

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 662, relative to salaries of unclassified state officials.

Amend section 1 of said bill by striking out the fourth and fifth lines and inserting in place thereof the following:

303:14 and by an act passed at the present session establishing the water pollution commission, by striking out said section and inserting in place thereof the following:

Further amend section 1 of the bill by inserting after "executive director sweepstakes" the following:

Executive director, water pollution commission 15,000 16,500

The Senate voted to concur in adoption of amendment.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 674, to create a permanent traffic safety commission.

Announcement by the Chair

The Chair would announce at the present time that he has received a Communication from the Secretary of State relative to the Claveau — Munday recount. This Communication will be inserted in the Journal:

Dear Mr. President:

A recount conducted by the Secretary of State on this date for the office of Senator in the thirteenth Senatorial district resulted in the following vote:

	Recount	
Thomas J. Claveau, Hudson, d	1169	1168
Lake M. Munday, Hudson, r	1136	1137

Very truly yours,

Robert L. Stark
Secretary of State

"I have the pleasure of introducing and welcoming to the Senate, Thomas Claveau of Hudson."

On motion of Senator Johnson, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Senator Johnson, for the Committee on Finance:

HB 475, to extend the time for expending funds for expansion of the state park system. Ought to pass with amendment.

Amendment

Amend the title of the bill by striking out the same and inserting in place thereof the following new title:

An Act to extend the time for expending funds for expansion of the state park system and making appropriation for an aeronautical analyst and relative to the capital budget.

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1 Extension of Time. Amend 1961, 263:5, as amended by 1963, 287:1, by striking out the entire section and inserting in place thereof the following: 263:5 Appropriation. A sum not exceeding nine million dollars is hereby appropriated for the purposes and projects authorized by the foregoing sections, as approved by the governor and council, provided nevertheless, that no project shall be approved by the governor and council unless a public hearing has been held thereon. The funds appropriated herewith shall be available for expenditure until June 30, 1967. None of the funds hereby appropriated shall be used to implement or be expended for the so-called parks expansion program. From the effective date of this act, all funds hereby appropriated, and not otherwise allocated prior to that date to specific projects, shall be allocated and used only for the acquisition of land and site development and in such acquisitions and development first priority shall be given for a park or proposed park on or adjacent to or in the area of the Connecticut River and, second priority for a park or proposed park on, adjacent to, or in the area of Ossipee lake.

2 Transfer of Funds. Notwithstanding any other provisions of law to the contrary, none of the specific projects listed in section 22 of the capital budget as adopted by the 1965 session of the general court shall be approved or any of the moneys therein appropriated expended for any of such projects unless matching federal funds are available for the particular project. The director of the division of parks, with the approval of the governor and council, is hereby authorized to transfer said appropriated funds from one of the said specific projects to another, provided however, no such transfer of funds shall be made in such a manner as to totally delete any project listed which is eligible for federal funds.

3 Appropriation for Aeronautical Analyst. The sum of eight thousand five hundred dollars is hereby appropriated for expenditure by the aeronautics commission for the position of aeronautical analyst for the fiscal year ending June 30, 1966, and a like sum for the fiscal year ending June 30, 1967. These appropriations shall be in addition to any other sums appropriated for the aeronautics commission. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

4 Takes Effect. This act shall take effect upon passage.

On motion of Senator Johnson, reading of the amendment was dispensed with.

Senator Johnson: "Mr. President, this has three parts to it.

"1. Extends the 1961 act which set up the bond issue for parks. About half a million dollars which are still a part of that bond issue which has not been spent.

"2. Deals with the transfer of funds in the capital budget as to parks.

"3. Relatives to the totally different subject of the Aeronautical Analyst, the person who will make a study of the State's system of airports. This third item involved \$17,000 for the analyst."

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Johnson, the rules were suspended to permit third reading and final passage of the bill at the present time.

Third Reading & Final Passage of Bill

HB 475, to extend the time for expending funds for expansion of the state park system and making appropriation for an aeronautical analyst and relative to the capital budget.

Announcement by the Chair

"The Chair would state at the present time that he will appoint as members of the Committee to Study the Annual Session, Senators English and Riley."

On motion of Senator Gardner, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Gardner, for the Committee on Finance:

HB 236, to establish an industrial workshop and homework program for the older blind. Ought to pass with amendment.

Amend RSA 167:42-c, as inserted by section 1 of the bill by striking out the same.

The amendment was adopted, and the bill as amended was ordered to a third reading.

On motion of Senator Gardner, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 236, to establish an industrial workshop and homework program for the older blind.

House Message

The House refuses to concur with the Senate in the adoption of the amendment to the following entitled bill, sent down from the Senate:

HB 538, relating to regulation of small loans, and requests a Committee of Conference; the Speaker has appointed as members of said Committee of Conference on the part of the House: Bigelow of Warner; MacIntosh of Cornish; and Spanos of Newport.

On motion of Senator Buchanan, the Senate voted to accede to the request of the House for a Committee of Conference.

Pursuant to the above, the Chair appointed as members of said Committee of Conference on the part of the Senate, Senators Buchanan and Claveau.

On motion of Senator Howard, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Howard, for the Committee on Finance:

HB 323, to establish life guard services and state control automobile parking operations at Hampton Beach State Park. Ought to pass.

The bill was ordered to a third reading.

On motion of Senator Howard, the rules were suspended to place the bill on third reading and final passage at the present time.

Third Reading & Final Passage of Bill

HB 323, to establish life guard services and state control automobile parking operations at Hampton Beach State Park.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled HOUSE AND SENATE BILLS:

SB 81, An Act relative to the establishment of a state rifle range.

SB 116, An Act relative to adoption, administration and enforcement of housing codes by municipalities; and appellate procedures in relation thereto.

HB 37, An Act relative to the relocation of a portion of the Central New Hampshire turnpike.

HB 121, An Act relating to the bounty on bobcats.

HB 592, An Act providing additional retirement allowances for certain retired state employees.

HB 679, An Act to create a joint state capitol city planning board.

HB 765, An Act relating to hearings in enactment of building code ordinances.

HB 534, An Act relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities.

HB 378, An Act establishing a mosquito control commission.

HB 403, An Act relating to fish bait, taking of pheasants, and use of boats on Long Pond in Benton.

HB 58, An Act relating to radiation protection.

HB 339, An Act relative to legislative mileage allowances.

HB 729, An Act relative to private water supplies.

HB 740, An Act to require driver education as a condition to the right of certain minors to obtain operator's license.

HB 782, An Act making appropriations for Capital Improvements and long term repairs for the State of New Hampshire.

Eda C. Martin
For the Committee

The report was accepted.

House Message

The House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 438, to increase the loan and guarantee limits of the Industrial Park Authority.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 177, authorizing training of auxiliary state police.

Committee of Conference Report

The Committee of Conference to whom was referred House Joint Resolution No. 19, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence with the Senate amendments and concur with the Senate in the passage of the resolution.

Senator Johnson of Dist. No. 5
Senator Blaisdell of Dist. No. 10
Conferees on the Part of the Senate

Mrs. DeLude of Unity
Mr. O'Neil of Chesterfield
Mrs. Scott-Craig of Hanover
Conferees on the Part of the House

The Senate voted to concur in adoption of Committee of Conference Report.

The Chair declared a brief Recess, subject to the call of the Chair.

Recess

The Senate re-assembled.

Committee of Conference Report

The Committee of Conference to whom was referred HB 65, relating to appropriations for the University of New Hampshire, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence and concur in the adoption of the Senate amendment; and

That the House and Senate concur in the adoption of the following amendment:

Amend the title of the bill by striking out the title and inserting in its place the following:

An Act relating to appropriations for the University of New Hampshire and legalizing the proceedings of the meeting of the Merrimack County Convention held June 25, 1965 in the city of Concord.

Amend the bill by inserting after section 1 a new section as follows:

2 Proceedings Legalized. All the notices, public hearings, proceedings, actions pertaining to, and all votes taken at a meeting of the Merrimack County Convention held June 25, 1965, in the city of Concord whereby said convention voted that the sum of six hundred seventy-five thousand dollars be appropri-

ated for construction, originally equipping and furnishing an addition to the Merrimack county hospital and for reconstructing and altering the existing Merrimack county hospital, and to raise this appropriation the Merrimack county commissioners be authorized to issue bonds or notes of the county not to exceed six hundred seventy-five thousand dollars pursuant to RSA 28 and the Municipal Finance Act, are hereby legalized, ratified and confirmed.

Further amend the bill by renumbering section 2 to read section 3.

Stewart Lamprey
William P. Gove
Conferees on the part of the Senate

Henry L. Stevens
George W. Stafford
William H. Craig
Conferees on the part of the House

On motion of Senator Gove, the Senate voted to adopt the report of Committee of Conference.

On motion of Senator Martin, the rules were suspended to permit introduction of a Committee Report, not previously advertised in the Journal.

Committee Report

Senator Martin, for the Committee on Finance:

HB 139, providing appropriation for administration of the milk sanitation code. Ought to pass with amendment.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Milk Sanitation Code. The sum of seventeen thousand four hundred seventy eight dollars (\$17,478) for the fiscal year ending June 30, 1966, and the sum of sixteen thousand three hundred thirty eight dollars (\$16,338) for the fiscal year ending June 30, 1967, are hereby appropriated to be expended by the division of public health services for the purposes of the implementation of the milk sanitation code established by RSA 184:79-102 as inserted by 1963, 289:1. The governor is authorized to draw his warrants for the sums appropriated hereunder from any funds in the treasury not otherwise appropriated.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2 Personnel. The director of the division of public health services may employ not more than two persons for the administration of said code, the expense of such employees to be paid from funds provided in section 1 as follows:

	1966	1967
2 Sanitarian II	\$ 9,528	\$ 9,968
Current expenses	2,000	1,500
Travel	4,500	4,500
Equipment	1,450	370
Total	\$17,478	\$16,338

The amendment was adopted and the bill as amended was ordered to a third reading.

On motion of Senator English, the rules were suspended to permit the third reading and final passage of the bill at the present time.

Third Reading & Final Passage of Bill

HB 139, providing appropriation for administration of the milk sanitation code.

Senator English: "Aside from welcoming Senator Claveau, some are anxious to make sure he gets his \$200. I make that inquiry of the Chair on his behalf."

The Chair would state "that it is his understanding that whenever a Senator or a member of the House is elected, he receives his full two hundred dollar compensation. We will make a notation in the Journal of the intent of the Legislature so that it may be in the record, but I am sure the law already provides for this."

House Message

The House has voted to concur with the Senate in its amendments to the following entitled bills:

HB 236, to establish an industrial workshop and home-work program for the blind.

HB 475, to extend the time for expending funds for expansion of the state park system.

The Message also stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 600, entering into the New England Interstate Planning Compact and for related purposes.

HB 787, to authorize seeing eye dogs to accompany their masters into public eating places.

HB 577, to provide for improved pesticide controls.

The Senate voted to concur.

Message from the Chair

“The Chair would like to extend thanks to the entire Senate for having made this session a very memorable one and in most instances, a very pleasant one. It has been an honor and a privilege. I have come to know each and every one of the Senators here and there has been a great deal of comradeship, not unlike a fraternity of brothers and sisters. Even though we might have had our differences, they were never personal. I am sure the same feeling exists between the Senators and myself. At least I sincerely hope so. I hope that we all might again be available for public service, and I appreciate the opportunity of being your President during this 1965 session.”

Senator Hunter: “I am certain that words won’t come to express my gratitude to everyone present. I appreciate a great deal the opportunity of working with all of you. As always, the Representatives and the Senators of the General Court have been more than gracious. I have learned a great deal and I hope I have been able to give a little of myself. I want you to know, everyone of you, that it has been a real pleasure and if the opportunity comes, I hope you will come to visit me. It is nice to be remembered. If you are at Hampton Beach, I will be glad to show you all the interesting features and I know the people would be more than gracious to you. I thank you.”

Senator Buchanan: “I don’t live at a beach, I have no maple syrup to sell, but I live in the prettiest little town in New Hampshire — Amherst. I am easy to find there; I live next to the post

office. I would hope that each and everyone of my colleagues, who have contributed so much to making my first exposure to political life as happy, fruitful, and memorable as it has been, would find it in their hearts to come and see me. I have four youngsters who will drive you crazy but I would like you to come down anyway."

Senator English: "I would like to take this opportunity to pay special tribute to our Clerk, Mr. Benjamin Greer. He does a stupendous job. As to Esther Hurd, our Senate Recorder, we all know what a magnificent job she does under difficult conditions and great pressure. I am not going to name the other attaches; however, I know we are all grateful to them."

Senator Claveau: "Aside from the compensation I am to receive, I would like to say that I am deeply honored to be a member of this body."

Senator Martin: "I am sure that I don't need to tell you where I come from but it really is a beautiful section of the state; it is the Switzerland of America. I invite you all to come up and see me and the beautiful country. Now I would like to say to the President of the Senate and to all of my colleagues how much I have enjoyed my assignment on the Finance Committee. I have really enjoyed being with all of you, knowing you, and forming close friendships. I hope you will come to the North Country and see us."

Senator Martel: "I have no product to advertise but I just want to tell you that if at any time you need to be organized, look me up. In a more serious vein, I want to say that in looking over the situation now, I can only say that I am still young and I have appreciated this experience. I only hope that God will give me the grace to make use of this for the betterment of my fellow citizens. I know we have had differences of opinion and I presume that was the way it was intended to be. Deep down, we are all Americans. As long as we are sincere in our convictions, we are all striving to make this country the finest one. May it please God that we continue to make it greater and greater."

Senator Tufts: "I hope that you will journey down to District 22 and buy a two dollar clam license so that you will be able to taste some of the tender, succulent clams. I advise you to buy an eighty-seven cent peck bucket and carry the bucket onto the clam flats rather than driving a vehicle. If you do drive, I hope

you will observe the absolute speed law and if you should pass the Granite State Nursery in Exeter, I hope you will slow down and maybe buy some syrup and some sweet cider. I hope that if you are in the neighborhood of Exeter, you will drop around to see me."

Senator Riley: "I would like to thank you, my fellow members of the Senate, for the continuation of my education. I would also like to say that if you have any real stiff competition, you will drop in at Riley's Gun Shop because we have sure-cure elimination for them."

Senator Green: "As a freshman Senator, I have enjoyed my many hours here. I have gained invaluable knowledge through your experience and help, and I have made wonderful friends. I hope that I will have the opportunity of coming back to renew these friendships."

The Chair declared a Recess, subject to the call of the Chair.

The Senate re-assembled.

House Message

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 735, to regulate retail installment buying under progressive line contracts.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Conditional Sales Contract. Amend RSA 399-B by inserting after section 4 (supp) as inserted by 1961, 245:7 the following new sections:

Further amend the bill by renumbering RSA 399-B:3-6 inclusive as inserted by section 1 of the bill to read RSA 399-B:5-8 inclusive.

Further amend the bill by striking out section 2.

Further amend the bill by renumbering section 3 to read 2.

The Senate voted to concur.

The Message further stated that the House has voted to concur with the Senate in the passage of the following entitled bill, sent down from the Senate:

SB 77, relative to the improvement for small boating of the back channels of Portsmouth Harbor.

The Message further stated that the House has voted to concur with the Senate in its amendments to the following entitled bill:

HB 139, providing appropriation for administration of the Milk Sanitation Code.

The Message further stated that the House has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 65, relative to appropriation for University of New Hampshire and legalizing the proceedings of the meeting of the Merrimack County Convention held June 25, 1965 in the city of Concord.

The Message further stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 177, authorizing training of auxiliary state police.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Auxiliary State Police. Amend RSA 106-B by inserting after section 18 as inserted by 1965, 209:1 the following new sections:

Further amend section 1 by renumbering RSA 106-B:18-24 to read RSA 106-B:19-25.

Amend section 2 of the bill by striking out in line two the figures 18-24 and inserting in place thereof the figures 19-25.

The Senate voted to concur.

The Message also stated that the House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 236, to establish an industrial workshop and homework program for the older blind.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Program for Older Blind. Amend RSA 167 by inserting after section 37 as amended by 1961, 20:1 and 222:1 the following new subdivision:

Further amend the bill by renumbering RSA 167:42-a and 42-b to read RSA 167:37-a and 37-b.

Amend section 2 of the bill by striking out line three and inserting in place thereof the following:

homework program authorized by this act

Amend section 3 of the bill by striking out line four and inserting in place thereof the following:

this act there are hereby appropriated

The Senate voted to concur.

The Chair declared a brief Recess, subject to the call of the Chair.

Recess

The Senate re-assembled.

Engrossed Bills

The Committee on Engrossed Bills has examined and found correctly engrossed the following entitled House and Senate Bills and Joint Resolutions:

SB 115, An Act to improve the administration of the department of resources and economic development.

HB 701, An Act relative to the purchase of supplies by the department of public works and highways for sale to other departments and institutions of the state and to subdivisions of the state.

HB 736, An Act relating to penalties for transferring lots in unapproved subdivision.

HB 751, An Act relative to state flags.

HB 769, An Act clarifying duties, responsibilities and qualifications in the department of health and welfare.

HB 771, An Act to legalize the proceedings of the annual town meetings of the town of Waterville on May 5, 1962; May 18, 1963; May 16, 1964; and March 13, 1965.

HB 790, An Act legalizing the proceedings of the annual town meeting held in the town of Epping.

HJR 46, Joint Resolution to establish an interim study on uniform vehicle laws.

HJR 47, Joint Resolution in favor of Albert D. Clarke and Ida M. Clarke.

HB 340, An Act relative to larceny or unauthorized use of a motor vehicle.

HB 2, An Act to authorize the payment of money from unclaimed estates into the general fund.

HB 534, An Act relative to motor vehicle road toll refunds for transit companies operating within towns and municipalities.

HB 787, An Act to authorize seeing eye dogs to accompany their masters into public eating places.

HJR 20, Joint Resolution to provide funds for Grants-In-Aid to local public libraries.

HB 43, An Act making appropriations for county extension agents.

HB 107, An Act extending the term of office of supervisors of the check-lists.

HB 373, An Act relating to period of lighting vehicles.

HB 533, An Act to provide an access road to the Loon Mountain Recreational Area.

HB 207, An Act relative to assessors in the city of Rochester.

HB 475, An Act to extend the time for expending funds for expansion of the state park system and making appropriation for an aeronautical analyst and relative to the capital budget.

HB 139, An Act providing appropriation for administration of the milk sanitation code.

HB 65, An Act relating to appropriations for the University of New Hampshire and legalizing the proceedings of the meeting of the Merrimack County Convention held June 25, 1965 in the city of Concord.

HB 213, An Act relative to the salaries of county attorneys.

HB 662, An Act relative to the salaries of unclassified state officials.

SB 66, An Act entering into the interstate compact on the placement of children enacting the same into law and for related purposes.

SB 77, An Act relative to the improvement for small boating of the back channels of Portsmouth Harbor.

HB 323, An Act to establish lifeguard services and state controlled automobile parking lot operation at Hampton Beach State Park.

HB 577, An Act to provide for improved pesticides controls.

HB 600, An Act entering into New England Interstate Planning Compact and for related purposes.

HB 674, An Act to create a permanent traffic safety commission.

HB 438, An Act to increase the loan and guarantee limits of the Industrial Park Authority.

HB 693, An Act to regulate the licensing, location, and relicensing of motor vehicle junk yards.

HB 538, An Act relating to regulation of small loans.

HB 716, An Act relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation.

HB 177, An Act authorizing training of auxiliary state police.

HB 236, An Act to establish an industrial workshop and homework program for older blind.

HB 735, An Act to regulate retail installment buying under progressive time contracts.

HB 539, An Act relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack County.

Eda C. Martin
For the Committee

The report was accepted.

House Message

The House of Representatives has passed the following Concurrent Resolution in which it asks the concurrence of the Senate:

Resolved, by the House of Representatives, the Senate concurring: That a Committee of 11 be appointed to join with such Committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to be adjourned and to receive any communication which he may wish to make.

On motion of Senator Martel, the Senate voted to concur.

Pursuant to the above, the Chair appointed as members of said Committee on the part of the Senate: Senators Martel, Waterhouse, Buchanan, O'Gara and Foley.

House Message

The House has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the House asks the concurrence of the Senate:

HB 539, relative to the salary of, and amount of fees to be collected by, the register of deeds for Merrimack County.

Amend section 1 of the bill by striking out the first three lines and inserting in place thereof the following:

1 Merrimack Register of Deeds. Amend RSA 478 by inserting after section 24 as inserted by an act adopted by this session relative to the salaries and amount of fees of the register of deeds of Grafton county the following new subdivision:

Amend the bill by renumbering RSA 478:22-25 to read RSA 478:25-28.

The Senate voted to concur.

On motion of Senator Martel, the Senate went into afternoon session.

Afternoon Session

Committee Appointments

Water resources, etc. and Alton Bay — Great Bay Waterway.

Senators Hunter, O'Gara and Foley.

Projecting state fiscal requirements biennially through 1975

Senators Johnson and Bergeron.

Study on uniform vehicle laws

Senators Gove, Waterhouse and Lamontagne.

Capital Budget Study and Improvement

Senator Howard

Fiscal Committee

Senators Lamprey, Johnson and Provost.

Budget Control Committee

Senators Lamprey and Bergeron.

Legislative Council

Senators Buchanan, Gardner and Martel.

Monadnock Regional School District

John Goodnow and Chapin Tracy.

Labor-Management Council

Senators Lamprey and Martel.

Indefinite Postponement

The Senate voted by final adjournment resolution to indefinitely postpone the following entitled bills. In accordance with the concurrent resolution that all bills and joint resolutions pending in either branch on July 1, 1965, at 5:00 P.M., the following entitled bills are indefinitely postponed:

Senate Bills in Committee

SB 17, Raise prize limit on beano games.

SB 19, Tax exemptions for widows of men lost in Thresher.

SB 30, Requiring marriage counseling.

SB 36, Fiduciary powers of trust companies and National banks.

SB 58, Taking of deer.

SB 59, Making an appropriation for educational television.

SB 73, Require continuing chiropractic education.

SB 78, Early land acquisition and disposition in connection with redevelopment projects.

SB 88, Naming a bridge the Strawberry Bank Bridge.

SB 92, Costs in action against sureties.

SB 95, Expenses of burial in workmen's compensation.

SB 96, Relating to compensation for total disability.

SB 122, Relative to inheritance taxes.

House Bills in Committee

HB 13, Frozen desserts.

HB 77, Require register of deeds to supply copies of deeds to towns and cities.

HB 178, Hunting and Fishing licenses.

HB 180, Nonresident hunting licenses.

HB 233 Establishment of state liquor store in Hudson.

HB 250, Develop and improve air navigation facilities.

HB 256, Invoice of taxable property.

HB 313, Registration and licensing of special vehicles.

HB 345, Finding of disability or death of municipal firemen due to heart and lung disease or hypertension, in workmen's compensation proceedings.

HB 387, Establishment of state liquor store in Pelham.

HB 449, To provide school aid for effort to establish area or cooperative school districts.

HB 465, Funds for hospital rate increases for recipients of public assistance and medical assistance for aged.

HB 499, Relative to the board of chiropractic examiners.

HB 528, Relating to the New Hampshire Soldiers' Home.

HB 574, To authorize the director of fish and game to license and regulate the operation of snow traveling vehicles.

HB 666, Election of School district officers.

HB 715, Amend powers of passenger tramway safety board.

HB 724, Relative to sale of liquor to members of associations affiliated with certain clubs.

HB 733, Relating to employment in places of business where alcoholic beverages and beer are sold.

HB 743, To amend the junk dealers law.

HB 746, To regulate the taking of land for access to private recreational areas.

HB 758, Relative to the selection of jurors.

HJR 25, Provide funds for nursing care increases for people receiving public assistance.

HJR 28, In favor of George S. Willey et al.

Senator Buchanan, for the Senate Committee appointed to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session, and is ready to receive any communication he might be pleased to make, reported that they had attended to their duties and had been informed by His Excellency that he had a communication to make to the Legislature.

The report was accepted.

His Excellency, the Governor, then came into the Senate Chamber and addressed the Senate as follows:

Pro-rogation of General Court — July 1, 1965

Mr. President and members of the Senate, I come to pro-rogate this session of the General Court to another day.

Since January 6th, this deliberative body in joint stewardship with the Chief Executive has been engaged in the challenging and difficult task of maintaining and advancing the government of the State of New Hampshire. Much has been accomplished in this session of 1965, and I commend the members of the General Court for their tireless efforts on behalf of our people.

First and foremost, you have approved a balanced budget. However, I would be less than frank if I did not express some concern about it.

The general fund operating budget approved by the Legislature is \$4,600,000 above my recommended expenditures for the next two years.

It is also \$22,200,000 above our present rate of state spending. This means the cost of living for state government will increase by 34 percent in the next biennium.

To meet these increased expenditures and balance the budget, the Legislature projected an estimated increase of our

present revenue levels of nine and one half million dollars, plus an estimated six and one half million from tax formula increases, plus an estimated June 30th surplus of six million dollars.

In my opinion, the revenue estimates used to balance the legislative budget are extremely optimistic.

I am hopeful they can be realized. However, should there be a serious decline in state revenues, the statutes provide the Executive with the authority to reduce departmental expenditures. I shall not hesitate to do this should the state's solvency be jeopardized.

I have signed the capital construction bill with great reluctance. I objected to many of its provisions.

It limits transfers of capital construction funds in such a manner as to make implementation of the program very difficult. It provides no latitude for contingencies which always arise in a capital building program.

Four million dollars of pork barrel spendings were hastily injected into the capital budget program by the Senate in the hectic closing hours of adjournment. The bulk of these items were ill-conceived and not in the public interest.

I shall do my best to correct the situation by judicious executive action given to me by the State Constitution.

If there have been legislative deficiencies, there has been, at the same time, an abundance of sound progressive legislation that will continue the forward thrust of our state as it moves ahead.

You have enacted the most substantial and the most equitable salary increase for our family of state employees in history. I think all of us derive a sense of satisfaction from this meaningful accomplishment.

Your action on reapportionment reflects great credit on this body; not only was it free of dispute but it produced a reapportionment which is eminently fair and just, and I commend you for it.

There have been substantial advances in state aid to education. Foundation aid in the next two years will increase by

\$1,200,000 over present spending levels. School building aid will increase by almost one million dollars.

It is a source of deep gratification to me that state aid to education in the next two years will be 150 percent higher than when I first took office in 1963.

We have met the great challenge posed by sky rocketing student enrollments at the University of New Hampshire and at our other state colleges. The operating budget for higher education will increase in the next biennium by over four million dollars.

To help finance these needed increases in state services I proposed modest increases in your existing taxes. I want to express my deep appreciation for your cooperation in the difficult task of enacting those proposals into law.

If we had been unsuccessful we could not have met the heavy demand for greater expenditures in higher education.

We are providing increased funds for mental health of more than two million dollars above present expenditure levels. This includes \$300,000 a year for the operation of community mental health centers that are the key to modern mental health care.

We have provided almost \$700,000 in additional aid to our cities and towns to help finance pollution control. Thus, New Hampshire becomes top in the nation in such state support of pollution control.

We have enacted into law the most far-reaching and comprehensive program for the promotion of traffic safety in the history of the state, and I deeply commend you for that.

I am deeply pleased that our highway budget makes possible the financing of our highway program on a pay-as-you-go basis for the first time since the start of the interstate program in 1956. This was made possible by your approval of the modest increases in motor vehicle registration fees and re-adjustments in the highway budget. During the next biennium our payments on the principal of our bonded indebtedness will offset your recommended bond issue of 61½ million dollars.

This is an example of sound fiscal policy which I can heartily applaud.

I would take this opportunity also to highly commend the House Appropriations Committee that has conducted itself on a high level of statesmanship throughout this session. This outstanding group of men and women to their everlasting credit consistently placed principle above party.

They are men and women of integrity whose actions were consistent with the long tradition of this great deliberative body.

For those instances of courtesies and cooperation you have extended my office my deep gratitude, and I would hope that you would continue to come and counsel with me in the days that lie ahead.

As I stated two years ago, our strength in state government lies in our collective thinking and that is as it should be.

I have been informed by the Joint Committee of the Senate and House of Representatives that you have completed the business of the session. Therefore, now, by the authority vested in me as Governor, I do hereby declare the General Court of N. H. adjourned to the last Wednesday in December in the year of our Lord one thousand nine hundred and sixty-six.

The Senate adjourned at 11:30 p.m., Friday, July 2, 1965.

Benjamin F. Greer
Clerk

A true copy attest:

Benjamin F. Greer
Clerk

ADDENDA and ERRATA

Page 740. Should be SB 106, providing for a referendum relative to the Coos County Court house, last paragraph.

Page 784. Should be HB 448, next to last paragraph.

Page 788. Should be HB 584, not SB 584, third from last line.

Page 898. Should be Senate Concurrent Resolution, first paragraph.

Page 907. Should be Rosamond instead of Rosalyn, third from last paragraph.

Page 915. Senator English: "The change is, in essence, minor, and my feeling is that it may not be necessary, but there seems to be a good reason for it. It adds the words 'present and voting' and also substitutes 'two-thirds' for 'three-fourths,' " last sentence first paragraph.

Page 941. HOUSE MESSAGE (continued), the paragraph following this heading should be after HB 731.

Page 1013. Insert heading "Introduction of Senate Bill" before SB 135.

Page 1033. Should be HB 446, not HB 466.

Page 1043. Should be HB 106, not HB 196.

Page 1168. Should be HB 748, not HB 784.

Page 1265. Insert the following before final total:

Vocational institute:†

Site	50,000	
Site development	100,000	
Building	836,000	
Architect's fee	40,000	
Equipment	400,000	
	<hr/>	1,426,000

Page 1367. Insert before House Message;

Committee of Conference

The Committee of Conference to whom was referred HB 538, relating to regulation of small loans, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency,

That the Senate recede from its position in adopting its amendment, and

That the House and Senate concur in the adoption of the following amendment:

Amend section 1 of the bill by striking out the section and inserting in its place the following:

1 Small Loans Application and License. Amend RSA 399-A:14 (supp) as inserted by 1961, 245:1 and amended by Laws of 1965 by inserting before the words "he shall enter an order" the following: and that (c) allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted which may include as a factor reduced interest rates, so that the section is amended to read as follows:

399-A:14 Investigation of Application; License Requirements. Upon the filing of such application and the payment of such fees, the commissioner shall send a notice of the pending application to all licensees in the community in which the applicant proposes to do business and he shall investigate the facts concerning the application. Every licensee so notified shall have ten days after the date of notification to file a notice of objection to the granting of such application. Within ten days thereafter the objecting licensee shall file a statement, supporting his objection. Failure to file such statement within such period of time shall be deemed withdrawal of such objection. If the commissioner shall find that (a) the financial responsibility, experience, character and general fitness of the applicant are such as to command the confidence of the public and to warrant the belief that the business will be operated lawfully, honestly and fairly within the purposes of this chapter; and that (b) the applicant has available for use in such business at the location specified in the application at least twenty-five thousand dollars, or, in the case of the licensee, has such amount available or actually invested in loans made under this chapter, and that (c) allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted which may include as a factor reduced interest rates, he shall enter an order approv-

ing such application and deliver a license to the applicant. If the commissioner shall not so find, he shall enter an order denying such application and forthwith notify the applicant of the denial, returning the license fee.

2. Effective Date. This act shall take effect 61 days after its passage.

Thomas Claveau
Creeley S. Buchanan
Conferees on the Part of the Senate

L. Waldo Bigelow
James F. McIntosh
Harry V. Spanos
Conferees on the Part of the House

The report was accepted.

Page 1369. Insert just before "Recess" was declared; The Message further stated that the House has voted to adopt the Committee of Conference Report on the following entitled bill: HB 538, relating to regulation of small loans.

Page 1373. Under appointments by President of the Senate; to serve on Junior Colleges, Senator English.

Page 1286. Should be SJR 15, not SJR 1.

Page 1374. Remove from indefinitely postponed in Committee in the House; HB 345, finding of disability or death of municipal firemen due to heart and lung disease or hypertension, in workmen's compensation proceedings. This bill was referred to the Legislative Council on June 29, page 1152.

INDEX
of
SENATE JOURNAL

INDEX OF SENATE JOURNAL

A

Abandoned property, custody of	677, 784, 853, 899, 942, 987
Abatements, tax, refunds on	527, 637, 638, 644, 659, 678, 691
Absence, (See Leave of)	
Absentee ballots, casting, method of	892, 1017, 1034, 1047
Absentee ballots, challenges of	892, 1055, 1137, 1285, 1297
	1310, 1311, 1313, 1341
Absentee ballots, primary elections	50, 265, 266
Absentee ballots, procedure of delivery	677, 896, 907, 961, 993, 1003
Access road, Loon Mountain	1292, 1370
Accident reports, motor vehicle	50, 185, 748
Accrediting out-of-state institutions	303, 318, 323, 350
Aquatic nuisances, control of	970, 987, 999, 1000, 1027
Acquire land, safety department..	279, 962, 963, 966, 1004, 1037, 1057, 1285
Acquisition, land, Housing Authority	343, 421, 501, 502
	505, 521, 546, 569
Acquisition, land, Water Resources	419, 915, 936, 1217
Acquisition, sites for schools	616, 633, 634, 644, 667
Acquisition, Suncook river rights	645, 758, 776, 904
Action, recording of, eminent domain	734, 981, 1000, 1027
Additional retirement allowances, teacher ...	970, 1014, 1033, 1043, 1168, 1192
Additional retirement, police	371, 420, 690, 692, 722, 735, 769
Adequate representation, criminal cases	970, 1164, 1182, 1198, 1220
Adjournment, Final	1378
Administrative Committee, courts	89, 171, 178, 603, 632, 633, 667
Adoption, building codes	418, 1033, 1036, 1191
Advertising of political parties	161, 187, 189, 356, 357, 1036
Advertising, offensive	619, 683, 684, 692, 1012
Advisory Boiler Board, provide for	1132, 1150, 1182, 1219
Advisory Commission, Health & Welfare	130, 476, 477, 478, 479, 492
Advisory Committee, establishment	438, 623, 624, 629, 666, 694, 722
Aeronautics Commission, duties of	527, 1023, 1205, 1222
Aeronautics law, fee exception	235, 236, 284, 285, 291, 308
Aged, hospital rate increases for	750, 1374
Aged, medical assistance	645, 920, 937, 987
Aged, medical assistance, administration	645, 920, 937, 958, 993, 1003
Aggravated assault, penalty for	354, 501, 505, 524
Agricultural advisory board	938, 1151, 1181, 1219
Agricultural seeds, labeling of	51, 222, 223, 359, 391
Aid program talented students	1183, 1340
Aid, school, to provide	1183, 1374
Aid, town road, relating to	969, 1014, 1033, 1043, 1168, 1191
Air navigation facilities, development	970, 1374
Aircraft, operating fees, disposition of	236, 285, 291, 308
Airport managers, relating to	448, 579, 585, 608
Alcoholic beverages, advertising of	343, 562, 572, 583
Alcoholic beverages, sale of	1001, 1056, 1137, 1220
Allowances, additional, state employees	939, 1029, 1215, 1222, 1336, 1339, 1360
Allowances, legislative mileage	602, 1214, 1223, 1361
Alton Bay, relating to	776, 916, 937, 984, 1032, 1048
American History Month, February	751, 789, 853, 905
Amherst school district, legalizing meeting	891, 907, 1184, 1284
Annual sick leave, state employees	586, 684, 685, 692, 723
Appeals, from courts	89, 228, 234, 466, 492
Appointment, Chairmen, General Court	194, 243, 247, 257
Appointment, court stenographers	50, 190, 193, 369
Appointments, relating to	1373
Apportionment public taxes, adjustments ...	127, 186, 188, 265, 274, 281
Apportionment Representatives, General Court	939, 940, 987

Appropriate funds, aeronautical facilities	160,	251,	253,	268
Appropriate funds, capital improvements	969,	988,	1000,	1027
Appropriation, additional, legislature	509,	517,	521	
Appropriation, additional, providing	1198,	1241,	1342	
Appropriation, additional, State Colleges	969,	1013,	1033,	1191
Appropriation, Beaver Brook Dam	602,	951,	967,	993
Appropriation, for administration	939,	1363,	1364,	1368, 1370
Appropriation, repeal, Granite State Association	197,	242,	247,	252
		253,	265,	268
Appropriation, town, railroad service	694,	895,	907,	957, 993, 1003
Appropriation, Whitefield Airport	184,	208,	209,	211, 216
Appropriations, capital improvements	1036,	1174,	1176,	1264
		1278,	1286,	1332, 1361
Appropriations, county extension. 938, 1014, 1033, 1134, 1197, 1198, 1219, 1370				
Appropriations, certain state depts.	616,	791,	821,	888, 889, 891
		1059,	1093,	1134, 1151, 1308
Appropriations, certain state depts.	67,	616,	821,	850, 888, 889
		891,	1093,	1120, 1134, 1151, 1308
Appropriations, finish construction UNH		310,	720,	736, 905
Appropriations, nursery building. 240, 268, 269, 270, 271, 272, 280, 289				
Appropriations, nursing scholarships	411,	764,	775,	851, 959, 1285
Appropriations, purchasing truck				161, 663
Approved public academies, employees of ...	941,	1125,	1137,	1192, 1218, 1219
Area school plan, amend law	600,	601,	602,	604, 605, 613, 616
Area school plan, clarify				1034, 1243, 1340
Architecture, practice of	346,	429,	430,	431, 432, 436, 1216, 1341
Arts, creating state commission		450,	593,	594, 601, 895, 972
Assessment, records, preparation of		448,	538,	544, 562, 587, 608
Assessment, special head tax	448,	574,	575,	585, 603, 605, 606, 612
Assessments, utility taxes		194,	195,	252, 253, 267, 280, 281
Assessors, City of Rochester	939,	1049,	1137,	1167, 1169, 1185, 1370
Assistant clerk, compensation			58,	91, 111, 127
Attaches, legislative, salaries		51,	161,	162, 163, 164
		219,	220,	221, 222, 238
Attorneys, transfer of		371,	510,	511, 517, 735
Auburn, boundary line, changing	419,	496,	497,	498, 505, 677, 722
Auctioneers, relative to			1035,	1127, 1137, 1285
Authorize, Ashland School Board change			218,	222, 223, 238
Authorize liens on payment of money	169,	170,	1214,	1223, 1370
Authorize liens on real property		207,	337,	341, 369
Authorize sweepstakes Commission power		645,	783,	963, 967
			998,	1002, 1027
Authorizing McIntosh College, degrees	714,	743,	749,	905
Authorizing participation, federal program	750,	788,	853,	906
Automatic fire protection system, state				437, 1021
Automobiles, transfer fees on	474,	655,	657,	659, 677, 691
Auxiliary state police, training of	1292,	1349,	1361,	1368, 1371

B

Bail Commissioner, relative to	630,	894,	907,	971
Bait, fish, relating	1034,	1287,	1290,	1333, 1339, 1361
Ballots, absentee, casting of		892,	1017,	1034, 1047
Ballots, absentee, challenges of	892,	1055,	1137,	1285, 1297, 1310, 1341
Ballots, absentee, delivery of	677,	896,	907,	961, 993, 1003
Ballot, Law Commission, powers of	50,	186,	188,	354, 368, 391
Bank, limit of investments	343,	428,	436,	462, 463, 471, 491
Banking department, examination reports ...	280,	305,	322,	338, 358, 378
Banks, Savings investments in ...	418,	647,	648,	649, 650, 657, 677, 722
Banks, Savings, organization of	714,	1050,	1055,	1137, 1168
Banks, Savings, powers of	411,	511,	555,	583
Banks, Service corporation investing	400,	471,	473,	504

Banks, Service of charter amendment	474,	522,	597,	601,	606,	658		
		712,	956,	967,	1004,	1048		
Barber, licensing of			677,	920,	937,	993		
Barber, registration, fees for			677,	919,	937,	993		
Bartlett, reclassify highway in town	194,		389,	390,	399,	409		
Beano, prize limit on					50,	1373		
Bear, wild, relating to	586,	607,	613,	639,	662,	666		
Beaver Brook dam, appropriation			602,	951,	967,	993		
Beer, increase tax	545,	679,	680,	683,	692,	723		
Benefits, retirement employees	360,	575,	577,	578,	777,	904		
Benefits, unemployment compensation		603,	752,	775,	942,	972		
Berlin, city manager	227,	312,	323,	508,	524,	711		
Berlin, city of, absentee voting election			622,	1033,	1292,	1341		
Berlin, city of, annexed to Success			622,	675,	676,	1030		
Berlin, city of, airport, compensation of officers at				588,	1165,	1181		
Beverages and liquor, advertising			343,	562,	572,	583		
Beverages and liquor, cards for sale of			1001,	1056,	1137,	1220		
Beverages and liquor, local option on			970,	1187,	1199,	1308		
Beverages and liquor, permit suspension					388,	561		
Black bass, weight limitation	466,	607,	613,	639,	662,	666		
Blood tests, military personnel				1002,	1310,	1342		
Bobcats, bounty on	380,	1166,	1181,	1225,	1339,	1360		
Boilers, repairs on			1132,	1150,	1182,	1219		
Borrowing, increase limit on		310,	439,	446,	690,	693		
		736,	753,	780,	890,	935		
Bounty, additional, porcupines			939,	1166,	1181,	1219		
Bow, hunting with		254,	653,	654,	657,	1219		
Bow, legalizing proceedings			419,	539,	545,	569		
Brentwood, legalizing meeting		521,	580,	581,	586,	608		
Brewster Free Academy, trustees			508,	580,	585,	608		
Bristol district court, establishing			527,	745,	749,	1134		
Brook trout, legal length of					448,	607		
Budgets, posting of, budget law			218,	288,	291,	308		
Building and loan associations ..	602,	717,	736,	751,	1161,	1162,	1186,	1340
Building and loan associations, investments in					380,	428,	436	
					463,	471,	491	
Building and loan associations, retirement fund			326,	551,	555,	583		
Building code, ordinances, hearings		1035,	1189,	1199,	1313,	1360		
Building codes, adoption of		418,	1031,	1033,	1036,	1191		
Burial expenses, claim for			353,	415,	418,	445		
Burial expenses, veterans	353,	450,	451,	465,	467,	474,	492	
Burial expenses, Workmen's Compensation					438,	1374		
Buses, registration of			734,	1040,	1137,	1285		
Business, Sunday, operation of					586,	1019		

C

Calculation, annual sick leave	586,	684,	685,	692,	723			
Campaign expenses, presidential	661,	790,	934,	937,	1027			
Capital improvements, additional funds		969,	988,	1000,	1027			
Capital improvements, appropriation		1036,	1174,	1176,	1264			
		1278,	1286,	1332,	1361			
Capital improvements, Keene & Plymouth		969,	1013,	1033,	1191			
Capital reserve funds, investment		587,	742,	749,	905			
Capital reserve, Plymouth School Dist.		1002,	1022,	1034,	1047			
Capital reserve, required to organize insurance company..		279,	305,	309,	339			
			341,	359,	378			
Casting ballots, the method of		892,	1017,	1034,	1047			
Central N. H. Turnpike, relocation ...	938,	1210,	1211,	1223,	1301,	1338,	1360	
Challenges, procedure of	892,	1055,	1137,	1285,	1297,	1310,	1313,	1341
Charlestown, legalizing certain actions		343,	423,	426,	445			
Charlestown, legalizing School District	179,	180,	187,	188,	198			
Charter, repeal of certain		751,	949,	974,	1027			

Charters, City of Manchester	1036, 1147, 1182, 1198, 1221, 1308
Charters, City of Portsmouth	448, 511, 513, 522, 526, 540, 557, 583
Charters, City of Rochester	412, 595, 596, 601, 617, 640
Charters, Saint-Gaudens, Amend	249, 287, 291, 308
Charters, Saint Marys in Mountains	170, 243, 247, 257
Charters, Savings banks, amend	474, 552, 597, 601, 605, 658
	660, 712, 956, 967, 1004, 1048
Charters, Women's Aid, Amend	216, 311, 312, 323, 557, 584
Checklist, requirements for towns	615, 740, 749, 905
Checklist, term of office supervisor	556, 1281, 1290, 1302, 1312, 1314, 1370
Cheshire County, Sheriff Salary	615, 742, 749, 900, 902, 942, 972
Chesterfield, legalizing proceedings	427, 538, 545, 569
Child Caring Agencies, licensing	438, 623, 624, 629, 666, 694, 722
Chiropractic education	371, 1374
Chiropractic examiners, board of	1291, 1332, 1349, 1350, 1374
Chiropractic, per diem rate of	406, 536, 537, 544, 569
Chiropractors, licensing of	249, 361, 370, 381, 400, 403
Citizens job, protection	474, 596, 597, 601, 640
Clam flats, motor vehicles on	587, 652, 657, 665, 694, 722
Clark, Albert, in favor of	970, 1032, 1212, 1222, 1302, 1328, 1370
Classification, surface waters Androscoggin	283, 327, 342, 369
Classification, surface waters Little River	249, 326, 327, 341, 369
Classification, surface waters Nashua River	213, 215, 250, 254, 268
Classified salaries, state employees	50, 92, 96, 99, 100
	149, 155, 435, 436, 463
Classified service, new positions ..	371, 651, 656, 667, 668, 671, 673, 675
Collection, special head tax	448, 574, 585, 603, 605, 606, 612
Collectors, deeds, changing date	633, 783, 853, 1036, 1191
Commission on Arts, creating	450, 593, 594, 601, 893, 972
Commission on Ballot Law powers	50, 186, 188, 354, 368, 391
Commission on Traffic Safety	1198, 1295, 1297, 1316, 1352, 1353, 1356, 1371
Commissioners, Manchester, fire	508, 715, 768, 1011
Commissioners, Manchester, highway	508, 769, 775, 1012
Committee of Conference ..	959, 960, 961, 974, 975, 983, 991, 1037, 1039
	1093, 1099, 1109, 1118, 1161, 1169, 1173, 1179, 1196
	1197, 1225, 1227, 1236, 1293, 1294, 1313, 1317, 1318
	1319, 1323, 1328, 1339, 1348, 1352, 1353, 1354, 1362
Community mental health established	602, 764, 775, 852, 853, 906
Community recreation service, creating	939, 1022, 1033, 1036, 1191
Compensation, assistant clerk, Senate	58, 91, 111, 127
Compensation, federal officer	588, 1165, 1181
Compensation for total disability	438, 1040, 1148, 1374
Compensation personnel, state colleges. 527, 698, 786, 964, 966, 1184, 1340	
Compensation Portsmouth policemen	419, 498, 505, 616, 640
Compensation relative to trustees	615, 747, 749, 905
Compensation, unemployment law, clarify	776, 977
Connecticut River, fishing regulations	161, 306, 309, 391, 398
Construction, additional funds for	310, 720, 736, 905
Construction, minimum wages	546, 757, 898, 986
Construction of wills	241, 336, 342, 631
Construction, public buildings ...	714, 1044, 1136, 1256, 1285, 1314, 1317, 1341
Contingency funds, establishment	380, 537, 544, 562, 563, 587, 608
Contractors, public contracts	969, 1055, 1214, 1223, 1341
Contracts, water resources board	388, 540, 544, 547, 569
Contractural deficiencies, appropriation	1198, 1241, 1342
Control, aquatic nuisances	970, 987, 999, 1000, 1027
Controls, pesticides, to provide	1292, 1311, 1312, 1365, 1371
Conway Lake, House Boats on	588, 945, 966, 1217, 1308
Cooperative banks, investments	326, 551, 555, 583
Cooperative school district	240, 241, 249, 688, 690
	692, 712, 715, 975, 1047
Corporations, guarantee debts	661, 784, 853, 905
Corporations, voluntary, relating to	445, 446, 447, 463

Council of resources, relating to	750, 916, 937, 993, 1026
Counseling marriage	157, 1373
County attorneys, salary	1034, 1124, 1137, 1182, 1183, 1218, 1227, 1371
County Commissioners, salary increase	494, 527, 621, 629, 661, 666
895, 907, 956, 965, 968, 1003, 1027, 1121, 1168, 1191	
County officers, income report	556, 621, 629, 667
Court House, Coos	522, 740
Court Stenographers, salary	50, 190, 193, 369
Courts, administrative committee	89, 171, 178, 603, 632, 633, 667
Courts, appeals from	89, 228, 234, 466, 492
Courts, district, relating to	546, 1039, 1134, 1152, 1156
1158, 1181, 1237, 1313, 1341	
Crabs, possessing	474, 1167, 1181, 1218, 1220, 1261, 1308
Crabs, taking, Rye Harbor	615, 653, 657, 721, 735, 769
Create, Planning Board	1292, 1330, 1331, 1360
Credit Unions, guaranty fund	412, 475, 493, 504
Credit Unions, meetings of	358, 475, 493, 503, 521, 524
Credit Unions, relating to	474, 646, 647, 657, 677, 715, 747
Criminal cases	970, 1164, 1182, 1198, 1220
Criminal cases, examinations of	465, 549, 555, 583
Criminal defendants, arrest of ...	572, 625, 626, 629, 665, 666, 694, 722
Criminal matters, summons. 50, 170, 178, 274, 283,	318, 319, 326, 349
Curfew regulations	714, 912, 937, 1002
Custody, abandoned property	677, 784, 853, 899, 942, 987
Custody, jail, Rockingham	1184, 1235, 1291, 1302, 1340

D

Dairy herds, N. H. Hospital	371, 921
Daughter, marrying father, prohibited	265, 337, 341, 369
Davis, Agnes Helen, estate of	734, 791, 853, 905
Debt limit, Timberlane Regional District	203, 210, 211, 216
Deductions, from retirement, firemen	527, 621, 629, 1002, 1048
Deeds, recording of, to regulate	1035, 1190, 1234, 1235, 1326, 1327, 1369
Deeds, register of, Grafton County	776, 954, 966, 1019, 1139, 1219
Deeds, register of, require, to supply	714, 1374
Deer, taking of, on islands	310, 1166, 1181, 1219
Deer, taking of, time for	1036, 1228, 1229, 1230, 1231, 1308
Deer, taking of, time for	295, 1375
Deer, taking of, time for	676, 946, 947
Deerfield, water supply of	418, 592, 601, 627
Deficiency appropriation, accountancy board	734, 950, 967, 993
Deficiency appropriation, health & welfare	777, 953, 967, 993
Deficiency appropriation, professional engineer	645, 745, 750, 905
Deficiency appropriation, racing commission	570, 572, 584
Definition, juvenile	50, 366, 367, 368, 370, 1006, 1191
Definition, shellfish	406, 921, 937, 987
Degrees, granting of McIntosh College	714, 743, 749, 905
Department, agriculture	938, 1151, 1181, 1219
Departments, transfer of attorneys	317, 510, 511, 517, 735
Depositing, refuse, private land	556, 627, 629, 667
Deputy registrars, increasing number	615, 713, 1016, 1033, 1047
Desserts frozen, relating to	406, 1374
Development, future, Great Bay.. 409, 589, 590, 951,	967, 1292, 1304, 1341
Discharged prisoners, supplies for	236, 237, 286, 291, 308
Disposal, garbage and refuse	572, 716, 736, 900, 941, 972
Disposition, illegal game	527, 1287, 1290
Disposition, revenue, aircraft fees	236, 285, 291, 308
Disqualification, school board member	508, 539, 544, 569
Dissolution, Penacook School District	399, 466, 467, 469, 492
Distribution, tax inventories	236, 237, 276, 278, 301
District courts, special justices	165, 335, 336, 342, 573

Dogs, licensing of	970, 1125, 1127, 1137, 1183, 1236
	1261, 1293, 1294, 1313, 1314
Domestic animals, penalty for shooting	734, 763, 775, 904
Dover city charter, relating to	714, 933, 938, 972
Driver education, to require	1002, 1301, 1361
Drugs, misbranding of	184, 185, 414, 418, 433, 448, 468
Durham, reclassify highway	194, 195, 390, 399, 409, 1242, 1243
Duties, clarifying in departments	1035, 1188, 1199, 1327, 1334, 1339, 1370
Duties, clerks, relating to	51, 171
Duties, powers, aeronautics Commission	527, 1023, 1205, 1222
Duties, powers, Apprenticeship Council	283, 372, 379, 390, 391, 406, 409
Duties, tax collectors	207, 286, 287, 291, 308

E

Earned income, disregard	573, 652, 657, 659, 677, 691
East, west, highway, study for	776, 1200, 1221, 1341
Education chiropractic, require	371, 1374
Education, corporations, organization	310, 312, 339, 346
	347, 349, 354, 369
Education, department of, authorizing..	474, 502, 505, 522, 523, 546, 569
Education, driver, require	1002, 1301, 1361
Education, provide, physically handicapped	970, 994, 995, 1004
	1032, 1037, 1186, 1196
Educational purposes, loans for	236, 237, 304, 309, 320
Educational television, appropriation	304, 413, 1374
Educational television, operating expense	970, 990, 1000, 1003, 1185
	1218, 1225, 1340, 1361, 1362
Election inspectors, relative to	371, 549, 555, 583, 603, 608
Election, Keene, relative to	1035, 1057, 1137, 1286
Election, school district officer	971, 1020, 1374
Electioneering, prohibition, election day	195, 266, 272, 573
Electric fences, use of	750, 1327, 1328
Emergency cases, immunity from	51, 191, 193, 358, 378
Employees, full time, relating to	941, 1125, 1137, 1192, 1218, 1219
Employees, government, interchange	734, 932, 965, 987, 999, 1027
Employees, minimum wages of	1034, 1160, 1182, 1220
Employees, retirement system	658, 893, 906, 1198, 1308
Employment, relating to	1035, 1374
Enactment, zoning ordinances	714, 914, 937, 1003, 1004
	1177, 1179, 1186, 1340
Enfield, legalizing meeting	358, 424, 426, 445
Engineers, professional, appropriation	645, 745, 750, 905
Engineers, professional, relating to	180, 241, 242, 247, 737, 851
Epping, legalizing proceedings	1035, 1239, 1240, 1291, 1304, 1329, 1370
Equity securities, trading	546, 592, 593, 601, 640
Estate, Agnes Davis, in favor of	734, 791, 853, 905
Examinations, banking department	280, 305, 322, 323, 338, 358
Examinations, preliminary, criminal case	465, 549, 555, 583
Examiners, chiropractic, board of	1291, 1332, 1349, 1350, 1374
Examiners, chiropractic, increasing per diem rate ..	406, 536, 537, 544, 569
Excavating, dredging, tidal waters	1184, 1280, 1302, 1341
Establishing, Bristol District Court	527, 745, 749, 1134
Establishment, State Junior College	1036, 1123, 1137, 1285
Establishment, State rifle range	407, 591, 943, 945, 1258, 1259, 1360
Exemption, private ownership liability	714, 912, 937, 958, 993, 1003
Exemption, tax, neat stock	381, 573, 585, 1036, 1122, 1168, 1192
Exeter, establish city of	616, 743, 749, 893, 947, 949, 973, 1027
Expending of funds, extension of time	1292, 1356, 1357, 1358, 1365, 1370
Expenses, burial, veterans	353, 450, 451, 465, 474, 492
Expenses, burial, veterans WW I	353, 415, 418, 445
Expenses, burial Workmen's Compensation	438, 1374
Expenses, campaign, relating to	661, 790, 934, 937, 1027

Expenses, certain departments — 1966	616, 791, 821, 862, 881, 888
	889, 1059, 1093, 1134, 1151, 1308
Expenses, certain departments — 1967.....	616, 821, 850, 888, 889, 891
	1092, 1120, 1134, 1151, 1308
Expenses, legislature, additional appropriation	509, 517, 524
Extension bonds, issuance of, Portsmouth	238, 239, 246
Extension, operators licenses, during war	358, 1042, 1137, 1168, 1193, 1307

F

Fall Mountain Regional School district	406, 451, 465, 468
Father, marrying daughter, prohibiting	265, 337, 341, 369
Federal funds, spending	51, 210, 211, 274, 277
Federal forest lands, loss of taxes on	343, 407, 411, 424, 438, 445
Federal minimum wage law, working under	521, 752, 775, 941, 972
Federal officer, compensation for	588, 1165, 1181
Federal payments, authorizing matching	970, 1013, 1033, 1047
Federal program, under Vocational Educational Act	750, 788, 853, 906
Fees, collected, Grafton County	776, 954, 966, 1019, 1139, 1219
Fees, collected, Merrimack County	1132, 1232, 1233, 1303, 1332
	1339, 1340, 1372, 1373
Fees, deposited, Superior Court	527, 763, 775, 1134
Fees, foreign corporations, payment	573, 742, 749, 900, 942, 972
Fees, lobster licenses	1183, 1263, 1264, 1308
Fees, motor vehicle permits	633, 955
Fees, registration changed, barbers	677, 919, 937, 993
Fees, registration, motor vehicles	750, 981, 982, 1004, 1047
Fees, Superior Court, relating to	412, 482, 493, 502, 503, 521, 524
Fees, transfer, increase	474, 655, 657, 659, 677, 691
Fees, under aeronautics law	235, 236, 284, 285, 291, 308
Fees, Weights & Measures, inspection	750, 1151, 1182, 1219
Ferry, Marguerite, in favor of	283, 548, 549
Fiduciary powers, trust companies	170, 325, 1374
Filing, plans, subdivisions land	858, 1016, 1033, 1036, 1191
Filing, primary dates	861, 1122, 1136, 1292, 1341
Filing, property tax inventories	207, 208, 287, 291, 307, 326, 339
Filing, system, revise Corporations	427, 664
Filing, time for, town & city elections	180, 230, 231, 235, 778, 971
Final payment, procedure contractors	969, 1055, 1214, 1223, 1341
Finance commission, establishing	615, 713, 1144, 1145, 1147, 1181, 1199
Financing, sewerage system	236, 237, 286, 291, 308
Fire prevention codes, adoption of	418, 1031, 1033, 1036, 1191
Firemen, deductions for	527, 621, 629, 1002, 1048
Firemen's retirement board, payments	265, 361, 370, 391
Firemen's retirement system	295, 580, 586, 599, 741, 749, 905
Firemen's retirement system, re	527, 620, 621, 629, 942, 973
Fiscal agents, authorizing	236, 237, 304, 309, 318, 343, 349
Fiscal requirements, state study of	970, 989, 1000, 1027
Fish, bait, relating to	1034, 1287, 1290, 1333, 1339, 1361
Fish, Game Director, authorize	1183, 1374
Fish, Game licenses, increase in	265, 306, 315, 323, 338
	358, 377, 1183, 1374
Fisher, open season on	427, 622, 640, 685, 686, 692
	715, 735, 960, 961, 971, 1285
Fisheries, Marine division, establishment	1184, 1262, 1308
Fishing regulations, to repeal	161, 306, 309, 391, 398
Fishing, water supplies, Manchester	388, 757, 775, 904
Flags, state, relative to	1002, 1141, 1228, 1339, 1369
Flags, use of, motor vehicle operators	693, 767, 775, 902, 941, 972
Fluids, spillage of, highways	303, 665, 744, 749, 777, 904
Foreign corporations, appointment of ..	495, 548, 555, 751, 779, 890, 972
Foreign partnerships, service registrations	661, 784, 853, 935
Forfeiture liquor, possessed by minors	326, 414, 415, 418, 573, 584

Franconia College, powers	556,	575,	585,	608			
Friends, property holdings of	751,	933,	938,	972			
Frisbee Memorial Hospital	615,	741,	749,	905			
Funds, appropriated, aeronautical facilities	160,	251,	253,	268			
Funds, appropriated, construction	310,	720,	736,	905			
Funds, appropriated, nursery building Laconia	240,	268,	269,	270			
	271,	272,	280,	289			
Funds, appropriated, payment Teachers Retirement	474,	664,	675,	694,	723		
Funds, appropriated, State nursing scholarships		411,	764,	775			
		851,	959,	1285			
Funds, appropriated, truck purchase			161,	663			
Funds, contingency, establishment of .. 380, 537, 544, 562, 563, 587, 608							
Funds, grant in aid		1292,	1347,	1370			
Funds, interstate cooperation	371,	396,	713,	748,	781,	942,	972
Funds, nursing home care						734,	1375
Funds, solicitation of, religious	941,	957,	1029,	1034,	1047		

G

Gagney, home for aged, relating to	615,	741,	749,	905
Game birds, definition	474,	652,	653,	657, 667
Garbage, disposal of	572, 716,	736,	900,	941, 972
General Court, apportionment of			939,	940, 987
General Court, resignation of members. 236, 285, 286, 291, 307, 326, 339				
Gilford, legalizing meeting in		448,	499,	505, 524
Goshen-Lempster Cooperative school dist.		893,	906,	907, 971
Government, town meeting		1035,	1180,	1182, 1220
Grafton County Attorney, salary		776,	954,	966, 1004, 1027
Grafton County register of deeds, salary 776, 954, 966, 1019, 1139, 1219				
Grafton County Sheriff, salary	776, 954, 967, 1044, 1046, 1168, 1192			
Granite State Dairymen's Assoc. 179, 242, 247, 252, 253, 268, 365				
Grants in aid local libraries		1292,	1347,	1370
Grants in aid to cities		400,	683,	723, 1163, 1181
Great Bay, development of	407, 589, 591, 951, 967, 1292, 1304, 1341			
Greene, Leonard B., in favor		633,	691,	692
Greenville, contract with Water Resources Board		546,	547,	556, 569
Guaranteed loans to students	400, 561, 658, 659, 660			
		1005, 1120, 1168, 1192		

H

Hairdressers, relating to	195,	479,	480,	481,	493					
	1037,	1138,	1200,	1212,	1308					
Hampton Beach State Park, lifeguard service			1132,	1136,	1371					
Hampton, development authority	413,	758,	775,	1036,	1191					
Hancock, reimburse town tax	66,	67,	127,	161,	164,	218,	222			
Hanover School District, legalize meeting		157,	158,	160,	194,	198				
Hanover special justice, salary	165,	229,	230,	235,	646,	667				
Hares, open season taking	412,	607,	628,	629,	667					
Hart, John F., Jr., in favor of		427,	472,	473,	504					
Hawkers, at conventions	667,	697,	698,	713,	748					
Hayes, Seth J., in favor of		557,	786,	853,	905					
Health & Welfare, advisory commission	130,	476,	477,	478,	479,	492				
Health & Welfare, department duties		1035,	1188,	1199,	1327					
		1334,	1335,	1339,	1370					
Health & Welfare, legislative committee	292,	293,	294,	301,	320					
Health & Welfare, personnel & funds ..	92,	101,	108,	110,	131,	134,	138			
	140,	144,	148,	156,	198,	200,	205,	272,	296,	297
Health, Board of, Membership, Manchester..	1001,	1142,	1144,	1179,	1182,	1220				
Highway Commissioners, increase members		508,	769,	775,	1012					
Hooksett, changing boundary line	419,	496,	497,	505,	677,	722				
Hooksett, legalizing school meeting		861,	1037,	1191						

Hospital rate increases for aged	750, 1374
Hospital survey construction	586, 716, 736, 851, 936
	1243, 1246, 1248, 1340
Houle, Richard J., in favor	438, 510, 517, 715
House trailers, movement of	751, 1041, 1137, 1285
Housing codes, adoption of	587, 738, 749, 1259, 1260, 1360
Hudson, school district, construction	280, 281, 282, 289
Hudson, store, liquor	572, 611, 628, 641, 642, 1374
Human rights, establish commission ...	1035, 1170, 1174, 1182, 1193, 1218, 1307
Hunting, bow and arrow	254, 653, 654, 657, 1219
Hunting licenses, non-resident	343, 1374
Hunting licenses, relating to	343, 1374
Hunting licenses, replacing lost	265, 607, 613, 639, 662, 666
Hunting licenses, revocation of	734, 912, 938, 973
Hunting muzzle loaders	208, 494, 504
Hurlburt, Harry R., in favor of	419, 550, 556, 584

I

Identification, real estate purchases	406, 545, 558, 570, 587, 608
Illegal game, seizure, disposition	527, 1287, 1290
Immunity, prosecution, mob action	1012, 1257, 1258
Imprisonment, manner of serving	371, 548, 555, 890
Improvement for small boats	381, 588, 589, 952, 953, 1368, 1371
Income, report of, officials	556, 621, 629, 667
Increase, bank investment limits	343, 428, 436, 462, 463, 471, 491
Increase, board membership, Manchester	1001, 1142, 1144, 1179, 1180, 1182, 1220
Increase, guaranty fund, credit unions	412, 475, 493, 504
Increase, reserve tax on legacies	303, 377
Increase, reserve tax on tobacco	343, 563, 566, 567, 584
	613, 614, 618, 619, 640
Indebtedness, towns incurring	265, 360, 361, 370, 391
Independent agency, establishing a	969, 997, 1000, 1044, 1168, 1192
Indictment, waiver of	716, 915, 937, 1217, 1308
Indigent defendants, representation for	970, 1164, 1182, 1198, 1220
Industrial workshop, for blind	1291, 1359, 1364, 1369, 1371
Inheritance taxes, relating to	633, 1374
Institutions, accrediting out-of-state	303, 318, 323, 350
Institutions, reporting by	407, 548, 624, 625, 629, 893, 972
Insurance companies, capital for..	279, 305, 306, 309, 339, 341, 359, 378
Insurance, sale of	971, 1020, 1148, 1149, 1150, 1181, 1220
Interest on taxes, abating	354, 422, 426, 436, 451, 452, 465, 468
Interim study, uniform vehicle laws	858, 1026, 1206, 1222, 1339, 1370
Interstate bridge authority, authorize	179, 180, 233, 235
	237, 238, 249, 253
Interstate highways, national system	495, 921, 929, 937
Interstate planning compact	1292, 1348, 1365, 1371
Investing, by banks	400, 471, 473, 504
Investment, capital reserve funds	587, 742, 749, 905
Investment, retirement funds	326, 551, 555, 583
Investments, building & loan	380, 428, 436, 463, 471, 491
Investments, savings banks	418, 647, 649, 650, 651, 657, 677, 722
Invoice, assessment records	448, 538, 544, 562, 587, 608
Invoice, taxable property	400, 533, 534, 535, 536, 554, 1374
Isherwood, Alex C., in favor of	715, 955, 966, 1027
Islands, sewage disposal systems on	557, 624, 630, 667
Issuances, jury venires	371, 500, 505, 524, 1058
Issuances, summons, criminal	50, 170, 178, 274, 275, 283
	284, 318, 319, 326, 349

J

Jenovese, Peter J., in favor of	265, 471, 473, 504
Job protection, relating to	474, 596, 597, 601, 640

Joint state capital planning board	1292, 1330, 1331, 1360
Judgment, summary, relating to	360, 441, 442, 446, 616, 632, 667
Junior, college, state, establishment	1036, 1123, 1137, 1285
Junk dealers, amend law	1216, 1374
Junk yards, licensing of	1216, 1297, 1299, 1300, 1312, 1317, 1371
Jurors, selection of	1035, 1375
Jury lists, women's names	51, 227, 234, 466
Jury trial, waiver of	380, 443, 444, 446, 468
Jury venire, issuance of	371, 500, 505, 524, 1058
Justice, salary increase, towns	588, 746, 749, 1132, 1133, 1219
Justices, district courts, referees	280, 336, 342, 573
Juvenile, contributing to delinquency	448, 550, 571, 582, 603, 608
Juvenile, definition of	50, 366, 367, 368, 370, 1006, 1191

K

Keene, capital improvements completed	969, 1013, 1033, 1191
Keene, compensation of personnel, state	527, 698, 786, 964, 966, 1184, 1340
Keene, elections, in city	1035, 1057, 1137, 1286
Keene, police force, relating to	240, 241, 247, 257
Kittery-Portsmouth Bridge, authorize ..	343, 372, 374, 376, 377, 379, 391

L

Label, requirements, seeds	51, 222, 223, 359, 391
Labeling, hazardous substances	279, 414, 418, 432, 433, 448, 468
Labor, occupations for children	714, 977, 999, 1192, 1218, 1219
Laconia, recovery of expenses, State School	213, 215, 255, 257
	264, 267, 280, 281
Laconia State School, funds for	240, 268, 269, 271, 272, 280, 289
Lamprey River, future use of water	1184, 1280, 1302, 1341
Larceny, motor vehicle	620, 762, 775, 852, 991, 1005, 1304, 1370
Larceny, rented vehicles	346, 388, 389, 399, 495, 524
Lawful speed limits, fixing of	1183, 1305, 1306, 1307, 1342
League, Arts & Crafts, retirement benefit	360, 575, 576, 577
	578, 585, 777, 909
Lease, voting machines	311, 420, 426, 631, 640
Lebanon, city, favor of	715, 985, 1000, 1027
Legacies, tax on, increase revenue	303, 377, 392, 394, 399, 408, 412, 415
Legalizing meeting, Amherst School	891, 907, 1184, 1285
Legalizing meeting, Bow School	419, 539, 545, 567
Legalizing meeting, Brentwood School	521, 580, 581, 586, 608
Legalizing meeting, Charlestown School	179, 180, 187, 188, 198
Legalizing meeting, Goshen School	893, 906, 907, 971
Legalizing meeting, Hanover School 1964	157, 158, 160, 194, 198
Legalizing meeting, Hooksett School	861, 1037, 1191
Legalizing meeting, Waterville, 1962-63-64-65 ..	971, 1237, 1239, 1289, 1290, 1303
Legalizing organization, Timberlane school district	203, 210, 211, 216
Legalizing school meeting, Rollinsford	238, 239, 246
Legalizing town meeting, Charlestown	343, 423, 426, 445
Legalizing town meeting, Chesterfield	429, 538, 545, 569
Legalizing town meeting, Gilford	448, 499, 505, 524
Legalizing town meeting, Lincoln, 63-64	694, 933, 937, 972
Legalizing town meeting, New London	645, 978, 999, 1027
Legalizing town meeting, North Hampton 1963	179, 243, 244, 247, 257
Legalizing town meeting, Northfield	380, 498, 499, 505, 524
Legalizing town meeting, Ossipee 1964	380, 498, 505, 524
Legalizing town meeting, Plainfield	358, 423, 424, 426, 445
Legalizing town meeting, Rollinsford	521, 541, 545, 569
Legalizing town meeting, Sandwich	521, 581, 586, 609
Legalizing town meeting, Stratham, 1964 and 1965	645, 747, 749, 905
Legalizing town meeting, Tilton	521, 581, 586, 608

Legalizing village fire precinct meeting in Plymouth	419,	539,	545,	569
Legislature, additional appropriation	509,	517,	524	
Legislature, attaches, salaries	51, 161, 162, 164,	219,	220,	222, 238
Legislature, committees, health & welfare	292,	293,	294,	301, 320
Legislature, mileage allowances	602,	1214,	1223,	1361
Length, brook trout, Coos County			448,	607
Length, tractor-trailer, regulate	169,	170,	232,	233, 235, 238
Liability exemption, private ownership	714,	912,	937,	958, 993, 1003
Liability immunity from	51,	191,	193,	358, 378
Libraries, funds for grant-in aids to	1292,	1347,	1370	
License, director fish & game			1183,	1374
License, suspension of minors	714,	913,	937,	984, 1032, 1048
Licenses, chauffeurs, relating to	694,	768,	776,	942, 972
Licenses, fish & game increase in..	265, 306, 315, 316,	323,	338,	358, 377
Licenses, members Armed Forces, extension	358,	1042,	1137,	1168
		1193,	1194,	1307
Licenses, non resident			343,	1374
Licenses, relating to fishing			343,	1347
Licenses, replacing, lost	265, 607,	613,	639,	662, 666
Licenses, revocation of hunting		734,	912,	938, 973
Licensing barbers, fees charged		677,	919,	937, 993
Licensing child caring agencies	438, 623,	624,	629,	666, 694, 722
Licensing chiropractors	294,	361,	370,	381, 400, 403
Licensing dogs	970,	1125,	1127,	1137, 1183, 1236
		1261,	1293,	1294, 1313, 1341
Licensing practical nurses	527,	917,	937,	973, 992, 1002, 1027
Licensing special vehicles				1001, 1374
Liens on real property, authorize	207,	337,	341,	369
Lighting vehicles, period of		1001,	1242,	1290, 1370
Liquor, forfeiture of	326,	414,	415,	418, 573, 584
Liquor, products, listing of		161,	216,	217, 280, 289
Liquor, sale of golf clubs	265, 347,	348,	349,	353, 359, 378
Liquor, sale of, local option		970,	1187,	1199, 1308
Liquor, sale of, to club members				1035, 1374
Liquor store, establishment, Hudson	572,	611,	628,	641, 642, 1374
Liquor store, establishment, Pelham	572,	610,	611,	628, 641, 1374
Little River, classification of waters	249,	326,	327,	341, 369
Loan Limit, Industrial Park Authority		970,	1207,	1210, 1224
		1325,	1354,	1361, 1371
Loans, educational purposes	236,	237,	304,	309, 320
Loans, guaranteed, student	400,	561,	658,	660, 1005, 1120, 1168, 1192
Lobster, prohibit taking	615,	653,	657,	721, 735, 769
Lobsters, licenses, fees for		1183,	1263,	1264, 1308
Lobsters, transportation & sale of		474,	1167,	1181, 1218
		1220,	1221,	1261, 1308
Long Pond, use of boats, Benton	1034,	1287,	1290,	1333, 1339, 1361
Loon Mountain, access road				1292, 1370
Loose material, spillage of	303,	665,	744,	749, 777, 904

M

Maine-N. H. Interstate Bridge, authority	179,	180,	233,	237
		238,	249,	253
Maine, travel authority to members			214,	215
Manchester, city of, charter	1036,	1147,	1182,	1198, 1221, 1308
Manchester, city of, deputy registrar	615,	713,	1016,	1033, 1047
Manchester, city of, fire commissioners	508,	768,	775,	1011
Manchester, city of, fire commissioners, establishing	615,	713,	1144,	1146
		1147,	1181,	1199
Manchester, city of, health board of ...	1001, 1142, 1143,	1144,	1179,	1182, 1220
Manchester, city of, highway commissioners, increasing ...	508,	769,	775,	1012
Manchester, city of, police relief asso.	474,	578,	585,	616, 640
Manchester, city of, primary, changing date ..	127,	362,	370,	616, 632, 667

Manchester, city of, providing additional deputy clerk	126,	362,	370
		616,	640
Manchester, city of, water supplies, future	388,	757,	775, 904
Marriage, counseling, requiring		157,	1373
Marriage, license, petition non-resident	474,	550,	556, 584
Marriages, performed out of state	508, 638,	639, 644,	1011, 1191
Marston Pond, change name	494,	592,	602, 627
Martelle, Florence E., in favor of	734,	985, 1058,	1137, 1285
Matching federal funds, authorizing	970,	1013,	1033, 1047
Measures & weights, inspection of	750,	1151,	1182, 1219
McIntosh College, grant degrees	714,	743,	749, 905
Mechanical dentistry, practice of	90,	127,	209, 210
Medical assistance, aged, administrative	645, 920,	937,	958, 993, 1003
Medical assistance, aged, relative to	645,	920,	937, 987
Medical assistance, aged, relative to rate increase		750,	1374
Medical tests, authorize driver license	661,	978,	999, 1027
Members, General Court, resignation ...	236, 285, 286,	291,	307, 326, 339
Mental health program, establishing	602, 764,	775,	852, 853, 906
Merrimack County register deeds, fees	1132,	1232,	1303, 1332
	1333,	1339,	1340, 1372
Merrimack River, bridge time extension	448,	636, 637,	644, 667
Mileage, legislative, relative to	602,	1214,	1223, 1361
Military personnel, blood tests		1002,	1310, 1342
Milk, sanitation code, administration	939,	1363,	1364, 1368, 1370
Minimum wage, hourly rate	521,	752,	775, 941, 972
Minimum wages, construction work		546,	757, 898, 986
Minimum wages, public works	1034,	1160,	1182, 1220
Minors, offenses involving	265,	300,	303, 320
Minors, liquor possession by	326, 414,	415,	418, 573, 584
Minors, rental accommodations		1127,	1288, 1290
Minors, suspension of licenses of	714, 913,	937,	984, 1032, 1048
Misbranding, drugs, narcotics	184, 185,	414,	418, 433, 448, 468
Mob action, prosecution		1012,	1257, 1258
Mob action, relative to	854,	856,	857, 858, 860
Mobile homes, movement of		751,	1041, 1137, 1285
Monadnock Regional School District		892,	929, 937, 987
Moose, taking of, penalty	195, 316, 317, 318,	323,	427, 438, 468
Mosquito control commission	1184, 1278, 1279,	1335,	1336, 1339, 1361
Motor vehicle, accident reports		50,	185, 748
Motor vehicle, accident reports, conduct	694,	768,	776, 942, 972
Motor vehicle, larceny of	620, 762, 775,	852,	991, 1005, 1304, 1370
Motor vehicle, laws, application		940,	1043, 1137, 1285
Motor vehicle, liability insurance	971, 1350,	1351,	1352, 1359, 1371
Motor vehicle, permits, fees			633, 955
Motor vehicle, race requests			1013, 1289
Motor vehicle, road toll refunds	1291, 1324, 1325,	1333,	1339, 1360, 1370
Motor vehicles, number plates			164, 634
Motor vehicles, operation of	587,	652,	657, 665, 694, 722
Motor vehicles, registration fees		750,	981, 982, 1004, 1044
Motor vehicles, rented	346,	388,	389, 399, 495, 524
Motor vehicles, standard for tires	603,	1042,	1137, 1168, 1194, 1307
Motor vehicles, width of load	326,	635,	636, 644, 661, 678, 723
Mount Washington observatory		603,	696, 713, 748
Municipal budgets, posting of		218,	288, 291, 308
Municipal court, relating to	546, 1039,	1134,	1136, 1152, 1153
Municipal courts, appeals from	89,	228,	234, 466, 492
Municipal firemen, death of			602, 1020, 1152
Municipal government, funds for	380,	537,	544, 562, 563, 587, 608
Municipal officers, reporting	218,	288,	291, 307, 326, 339
Municipal water supply, purposes	207,	208,	251, 252, 253, 268
Municipalities, contracts between		388,	540, 544, 547, 569
Municipalities, state aid for	236, 237, 250,	254,	267, 268, 280, 281
Muzzle loaders, hunting with			208, 494, 504

Nashua, City of, Aldermen salary	130,	185,	188,	197,	211,	215	
Nashua, City of, boundaries, ward				1034,	1037,	1219	
Nashua, City of, planning board			465,	579,	585,	608	
Nashua public library, trustees			406,	539,	544,	569	
Nashua, River, classification water	213,	215,	250,	251,	254,	268	
Nashua, Salary, Mayor			218,	250,	254,	268	
Nashua, Trust Co., Charter		438,	475,	493,	587,	608	
Nathaniel Hawthorne College, powers			611,	612,	613,	628	
National Guard, limited authority		437,	438,	501,	505,	524	
National System, defense highways	495,	921,	924,	926,	929,	937	
Natural resources, Seabrook Harbor				1001,	1026,	1047	
Navigation, air, improve facilities					970,	1374	
Neat stock, exemption tax	381,	573,	585,	1036,	1122,	1168,	1192
New England exhibit, World's Fair			939,	1164,	1165,	1181,	1219
New England State Police Compact					969,	977,	1290
New Hampshire Congregational Conference		616,	734,	743,	749,	850	
		890,	935,	1017,	1033,	1047	
New Hampshire hospital, dairy herds					371,	921	
New Hampshire Humane Society, assets	126,	242,	243,	247,	257		
New Hampshire National Guard		970,	1142,	1182,	1222		
New Hampshire National Guard, punishment		354,	1147,	1148,	1181		
			1215,	1313,	1341		
New Hampshire National Guard, staff			427,	789,	853,	905	
New Hampshire Soldiers Home	546,	547,	585,	644,	656,	790	
New Hampshire Unitarian Association		170,	241,	247,	557,	584	
New Hampton district, change name			677,	897,	907,	971	
Newfound Area, establishing school dist.		240,	241,	249,	688,	689	
		692,	712,	715,	975,	1047	
Newfound Area, school district	587,	620,	630,	646,	678,	723	
New London, legalize meeting			645,	978,	999,	1027	
Non Resident, hunting, relating to					343,	1344	
North River Pond, change name			494,	592,	602,	627	
Northfield, legalize meeting		380,	498,	499,	505,	524	
Nottingham, change pond name			494,	592,	602,	627	
Nursery Building, Laconia State School			240,	268,	269,	270	
			271,	272,	280,	289	
Nurses, practical, licensing law for	527,	917,	937,	973,	992,	1002,	1027
Nuisances, aquatic, control of			970,	987,	999,	1000,	1027
Nursing home care, funds for						734,	1375
Nursing scholarship funds	411,	764,	775,	851,	959,	1285	

O

Obscenity, prohibiting	546,	626,	627,	629,	667			
Old age assistance, certain income	573,	652,	657,	659,	677,	691		
Open season, taking fisher	427,	622,	640,	685,	686,	692		
	715,	735,	960,	961,	971,	1285		
Operating expenses, educational T.V.	970,	990,	1000,	1003,	1185			
		1218,	1225,	1340,	1361			
Operation, Sunday business, regulate					586,	1019		
Operators license, driver education				1002,	1301,	1361		
Opinion, court	112,	113,	114,	115,	116,	117		
Order vacated	472,	547,	713,	977,	1055,	1256		
Organization, educational corporations..	310,	312,	339,	346,	349,	354,	369	
Organize, insurance companies, capital		279,	305,	306,	309,	339		
			340,	341,	359,	378		
Orphans, relief of	295,	337,	338,	341,	355,	356,	381,	391
Ossipee, legalizing meeting				380,	498,	505,	524	
Ownership, real property	50,	190,	193,	617,	618,	656,	677,	723

P

Parent, Leon R., in favor of	662,	785,	853,	1132,	1286
Passenger tramway, regulation of	970,	998,	999,	1048	
Passenger tramway, safety board			1132,	1374	
Payment, burial expenses, veterans	353,	450,	451,	465,	467, 474, 492
Penacook school district, dissolution of	399,	466,	467,	469,	492
Penalty, increase for		354,	501,	505,	524
Pesticides, improved controls	1292,	1311,	1312,	1365,	1371
Peterborough, town indebtedness	354,	362,	370,	381,	382, 400, 403
Phenylketonerria test, requiring		227,	347,	353,	377
Physically handicapped, education	970,	994,	995,	1004,	1032, 1037, 1186, 1196
Physicians, reporting by	407,	548,	624,	625,	629, 893, 972
Piermont town, legalizing meeting			521,	581,	586, 609
Plainfield town, legalizing meeting	358,	423,	424,	426,	445
Planning board, creating	1292,	1330,	1331,	1360	
Plymouth school district, establish	1002,	1022,	1034,	1047	
Plymouth state college, Strafford House	207,	213,	1344,	1346	
	1355,	1362,	1368,	1371	
Plymouth village precinct	419,	539,	545,	569	
Police authority, aeronautical director	406,	481,	493,	504	
Porcupines, bounty, additional		939,	1166,	1181,	1219
Portsmouth charter	448,	511,	513,	522,	526, 540, 557, 583
Portsmouth, city, bond issue extension			238,	239,	246
Portsmouth, city, small boating in	381,	588,	589,	952,	953, 1368, 1371
Portsmouth, police compensation	419,	498,	505,	616,	640
Portsmouth, term superior court	194,	336,	337,	341,	369
Powers, duties, aeronautics commission		527,	1023,	1205,	1222
Powers, relating to		411,	551,	555,	583
Presidential election requirements	734,	1017,	1033,	1036,	1191
Presidential preference campaign expense	661,	790,	934,	937,	1027
Primary elections, absentee voting in			50,	265,	266
Primary, filing dates for	861,	1122,	1136,	1292,	1341
Prisoners, discharged, supplies for	236,	237,	286,	291,	308
Private land, refuse dumping		556,	627,	629,	667
Private water supplies	1292,	1309,	1310,	1317,	1361
Probation, person on	371,	442,	443,	446,	616, 640
Professional engineering	180,	241,	242,	247,	737, 851
Professional engineers appropriation		645,	745,	750,	905
Property taxable, reassessment	1035,	1131,	1137,	1168,	1192
Protection, citizens job		474,	596,	601,	640
Psychiatrist, N. H. Hospital	295,	296,	297,	298,	303, 695
	696,	733,	782,	783,	1195, 1308
Public highway, offensive advertising	619,	683,	684,	692,	1012
Public revenue, tax on beer	545,	679,	680,	681,	683, 692, 723
Public roads, private areas..	304,	472,	634,	635,	644, 973, 992, 1002, 1027
Public taxes, adjustments in	127,	186,	188,	265,	274, 281
Public taxes, assessment of	1184,	1231,	1232,	1341	
Public utilities, rights		353,	481,	493,	504
Public utilities tax, revenue increase	303,	400,	405,	408,	412, 415
Public utility taxes, relating to	194,	195,	252,	253,	267, 280, 281
Publications, political parties		161,	187,	356,	357, 1036
Purchasers, real estate, identification	406,	545,	558,	570,	587, 608
Purposes, philanthropic funds for	941,	957,	1029,	1034,	1047

Q

Quakers, property holding by	751,	933,	938,	972	
Qualifications, barber license	677,	920,	937,	993	
Qualifications, department of health	1035,	1188,	1199,	1327	
	1334,	1335,	1339,	1370	

R

Rabbits, taking, open season	412,	607,	628,	629,	667
Racing commission, appropriation			570,	572,	584
Radiation protection, relating to			1291,	1329,	1330, 1361
Railroad passenger service, appropriation ...	694,	895,		957,	993, 1003
Real estate brokers, relating to			1184,	1240,	1241, 1340
Recalled from governor		302,	557,	607,	712, 781
Recording of deeds, regulate	1035,	1190,	1234,	1235,	1326, 1327, 1369
Recreational roads, relating to	207,	208,	655,	657,	660, 678, 691
Refuse, disposal of	572,	716,	736,	900,	941, 972
Register of Deeds, Grafton County	776,	954,		966,	1019, 1139, 1219
Registration, barbers fees			677,	919,	937, 993
Registration, buses			734,	1040,	1137, 1285
Reimburse, Hancock, county taxes	66,	67,	127,	161,	164, 218, 222
Replacing lost licenses	265,	607,	613,	639,	662, 666
Report, income, county officers			556,	621,	629, 667
Representatives, apportionment				939,	940, 987
Reserve funds, capital investment			589,	742,	749, 905
Resist arrest, unlawful			448,	502,	505, 524
Resolutions				9,	13, 15
	17,	18,	19,	20,	35, 37, 41, 46, 56, 58
	59,	71,	72,	89,	100, 110, 111, 122, 123, 125
	126,	164,	187,	192,	204, 205, 223, 244, 245, 248
	273,	289,	290,	301,	302, 311, 321, 322, 378, 382
	395,	396,	397,	404,	416, 424, 425, 433, 492, 494
	513,	525,	526,	528,	530, 533, 712, 748, 935, 1059
	1129,	1130,	1162,	1167,	1294, 1295, 1336, 1337, 1338, 1343
Resources, council of			750,	916,	937, 993, 1026
Retail installment buying			971,	1324,	1367, 1371
Retired teachers, additional allowance	970,	1014,	1033,	1043,	1168, 1192
Retirement board, firemen's payment			265,	361,	370, 391
Retirement deductions for firemen	527,		621,	629,	1002, 1048
Retirement, firemen's system	527,	620,	621,	629,	942, 973
Retirement system, firemen's payment ..	295,	580,	586,	599,	741, 749, 905
Revised Statutes Annotated	427,		537,	658,	660, 722
Revocation, licenses			734,	912,	938, 973
Rindge, town, reclassify road	194,	195,	390,	399,	408, 409, 412, 415
Rochester, city, adjust mayor's salary	412,	595,	596,	601,	617, 640
Rochester, city, assessors of	939,	1049,	1137,	1167,	1169, 1186, 1370
Roll calls, Organization	1,	3,	5,	6,	7, 8, 34, 40, 41
SB 24, Health & Welfare, funds for					110
SB 56, Creating Separate Departments					489, 490
HB 170, Tax on Tobacco					567
SB 71, Creating new committee, Classified service					674
HB 169, Beer tax question. Indefinite Postponement					683
SB 115, Substitute Motion inexpedient to legislate					711
HB 653, Adoption of Amendment					873, 879
HB 229, Substitute report					947
HB 500, Question adoption of amendment					1247
Rollinsford school district, meeting legalized			238,	239,	246
Rollinsford town, legalizing meeting			521,	541,	545, 569
Rye Harbor, taking lobsters prohibited	615,	653,	657,	721,	735, 769
Rye school district, legalizing meeting			630,	642,	644, 666

S

Safety board, tramway, powers of					1132, 1374
Safety compact, vehicle equipment					693, 767
Saint, Gaudens, Memorial charter	249,	287,	291,		308
Salaries, County attorney ..	1034,	1124,	1137,	1182, 1183,	1218, 1227, 1228, 1371
Salaries, court stenographers				50,	190, 193, 369
Salaries, increase, commissioners, Carroll	494,	965,	968,	1121,	1168, 1191

Salaries, legislative attaches.	51,	161	162,	164,	219,	220,	221,	222,	238	
Salaries, maximum, justices, authorizing	....			588,	746,	749,	1132,	1133,	1219	
Salaries, special justice, relating to	.....			165,	335,	336,	342,	573		
Salaries, unclassified state officials	.....			1034,	1201,	1205,	1262,	1278,	1319	
				1323,	1332,	1355,	1356,	1371		
Salary, county commissioners, Coos					527,	621,	629,	666		
Salary, county commissioners, Sullivan	.....			661,	895,	907,	956,	1003,	1027	
Salary, Grafton county attorney	.....				776,	954,	966,	1004,	1027	
Salary, Sheriff, Cheshire County	.....			615,	742,	748,	900,	902,	942,	972
Salary, Sheriff, Grafton County	..	776,	954,	967,	1044,	1045,	1046,	1168,	1192	
Sale, alcoholic beverages, cards	.....					1001,	1056,	1137,	1220	
Sale, insurance, relating to	.....			971,	1020,	1148,	1149,	1150,	1181,	1221
Sale, liquor, golf clubs	.....			265,	347,	348,	349,	353,	359,	378
Sale, liquor, local option	.....					970,	1187,	1199,	1308	
Sale, prohibit use regrooved tires	.....							326,	1041	
Sale, sweepstakes tickets, prohibited	.....			194,		249,	334,	335,	340	
						341,	359,	381,	403	
Sale, sweepstakes tickets, relating	.....			264,	325,	328,	329,	330,	333,	334
				350,	351,	353,	734,	908,	937,	972
Salesmen, real estate, amend law	.....					1184,	1240,	1241,	1340	
Savings banks, amend charter	... 474,	552,	597,	598,	599,	601,	605,	606		
		658,	660,	712,	956,	967,	1004,	1048		
Savings banks, investments, relating to	.....				418,	647,	648,	650		
					651,	657,	677,	722		
Savings banks, organization of	.....			1050,	1053,	1055,	1137,	1168,	1286	
Savings banks, retirement funds	.....					326,	551,	555,	583	
Savings banks, verification of	.....					411,	550,	555,	583	
School aid, to provide	.....							1183,	1374	
School building aid, acquisition of	.....				616,	633,	634,	644,	667	
School building aid, appropriation	.....				240,	241,	300,	303,	320	
School building authority, law of	.....			600,	601,	602,	604,	605,	613,	616
School building authority, relating to	.....						1034,	1243,	1340	
School district, Fall Mountain	.....					406,	451,	465,	468	
School district officers, election of	.....						971,	1020,	1374	
School district, Salem	.....							1132,	1195	
School district, warrant	.....					280,	313,	323,	350	
Seeing eye dogs, accompanying master	.....					1035,	1224,	1365,	1370	
Seized, illegal game, disposition of	.....						527,	1287,	1290	
Senatorial districts	.....			130,	165,	166,	168,	169,	974,	993
Senatorial vacancies, filling of	.....						1023,	1176,	1177	
Senior psychiatrists, classification of	.....			295,	296,	298,	303,	695,	696	
					733,	782,	983,	1195,	1308	
Service corporations, investment in	.....					400,	471,	473,	504	
Serving full time, district justices	.....					280,	336,	342,	373	
Serving terms, imprisonment	.....					371,	548,	555,	890	
Sewage disposal systems on islands	.....					557,	624,	630,	667	
Sewage systems, financing of	.....			236,		237,	286,	291,	308	
Shellfish, definition of	.....					406,	921,	937,	987	
Skiing areas, regulation of	.....					970,	998,	999,	1048	
Special head tax, collection of	... 448,	574,	575,	585,	603,	605,	606,	612		
Special justices, salary	.....			165,	229,	230,	235,	646,	667	
Special Order	..... 149,	245,	322,	391,	416,	503,	522,	532,	570	
		585,	597,	628,	640,	641,	668,	723,	770	
		862,	888,	898,	934,	963,	986,	1058,	1326	
Special vehicles, licensing of	.....							1001,	1374	
Speed violations, relating to	.....					388,	444,	446,	468	
State aid, class V highways	.....					969,	1014,	1033,	1047	
State apprenticeship council, powers of	.....			283,	372,	379,	390,	391,	406,	409
State commission, human rights	.....			1035,	1170,	1174,	1182,	1193,	1218,	1307
State commission, arts	.....			450,	593,	594,	601,	893,	972	
State Employees, annual sick leave	.....				586,	684,	685,	692,	723	
State Employees, classified salaries	50,	92,	94,	96,	98,	100,	149,	151		
		153,	154,		155,	157,	435,	436,	463	
State Employees, retirement system	.....				658,	893,	906,	1198,	1308	

State expenses, 1966	616, 791, 793, 795, 821, 862, 888, 889
	891, 1059, 1069, 1089, 1093, 1134, 1151, 1308
State expenses, 1967	616, 821 thru 850, 888, 891
	1093 thru 1120, 1134, 1151, 1308
State fiscal requirements, study of	970, 989, 1000, 1027
State flags, relative to	1002, 1141, 1228, 1339, 1369
State junior colleges, establishing	1036, 1123, 1137, 1285
State nursing scholarship programs	411, 764, 775, 851, 959, 1285
State of Maine, in favor	603, 663, 675, 723
State Park system, funds for	1292, 1356, 1357, 1358, 1365, 1370
State Police, sick leave adjustment	661, 896, 907, 942, 973
State Rifle Range, establishment	407, 591, 943, 945, 1258, 1259, 1360
Stratham town, legalizing meeting	645, 747, 749, 905
Summary judgment	360, 441, 446, 616, 632, 667
Summons, issuances of	50, 170, 178, 274, 275, 283
	284, 318, 319, 326, 349
Sunapee Lake, ice fishing	273, 325, 363, 365, 366
Suncook river, rights of	645, 758, 776, 904
Sunday business operation	586, 1019
Superior Court, fees deposited	412, 482, 493, 502, 503, 521
	524, 527, 763, 775, 1134
Supervisor, terms of office	556, 1281, 1290, 1302, 1313, 1314, 1370
Supervisory unions	750, 788, 898, 907, 972
Sureties, action against	419, 548, 1374
Surface waters, aquatic nuisances in	970, 987, 999, 1000, 1027
Surface waters, classification	283, 327, 342, 369
Surface waters, Suncook River watershed	615, 760, 775, 852, 905
Survey, hospital, relating to	586, 716, 736, 851, 936
	1243, 1245, 1247, 1248, 1340
Sweepstakes Commission, authorize	645, 783, 963, 967, 998, 1002, 1027

T

Taking of deer, on islands	295, 310, 1166, 1181, 1219, 1374
Taking of deer, time for	676, 946, 947, 1036, 1228, 1230, 1231, 1308
Taking of lobsters, crabs	474, 1167, 1181, 1218, 1220, 1221, 1261, 1308
Talented students, aids for	1183, 1340
Tax abatements, application for..	236, 237, 276, 278, 288, 289, 301, 320
Tax abatements, refunds	527, 637, 638, 644, 659, 678, 691
Tax areas, special, Hanover	508, 579, 580, 585, 606, 640, 646
Tax, beer, increase	545, 679, 680, 681, 682, 683, 692, 723
Tax collectors, deeds	236, 237, 276, 278, 289
Tax collectors, deeds, changing date	623, 783, 853, 1036, 1191
Tax collectors, duties of	207, 286, 287, 291, 308
Tax collectors, terms of office	236, 237, 276, 278, 301
Tax exemption, neat stock	381, 573, 585, 1036, 1122, 1168, 1192
Tax, inheritance, relative to	683, 1374
Tax, inventories, distribution	236, 237, 276, 278, 301
Tax, inventories, filing of	207, 208, 287, 291, 307, 308, 326, 339
Tax, legacies, increase	303, 377, 392, 394, 395, 399, 408, 412, 415
Tax, public, for assessment of	1184, 1231, 1232, 1341
Tax, public utilities, assessments of ...	194, 195, 252, 253, 267, 280, 281
Tax, public utilities, increase	303, 400, 405, 408, 412, 415
Tax, redemption, amount of	236, 275, 276, 278, 289
Tax, tobacco, increasing revenue	343, 563, 565, 567, 568, 571, 584
Taxable property, invoice of	400, 533, 534, 536, 554, 1374
Taxable property, reassessment of	1035, 1131, 1137, 1168, 1192
Taxation, exemption from	970, 1141, 1181, 1219
Taxes, abating interest on	354, 422, 426, 436, 451, 452, 465, 468
Taxes, state property	400, 683, 723, 1163, 1181
Teacher retirement system, funds	474, 684, 675, 694, 723
Technical institutes, capital improvement	969, 988, 1000, 1027
Television, educational, appropriation	304, 413, 1374

Temporary loans, relating to	943, 1056, 1136, 1292, 1293, 1313, 1341
Tenney Mt. Highway	734, 1041, 1137, 1285, 1347, 1348
Tenofsky, Eva., in favor of	195, 355
Tidal waters, dredging	1184, 1279, 1280, 1302, 1341
Tilton, legalizing meeting	521, 581, 586, 608
Timberlane school district, debt limit	203, 210, 211, 216
Timberlane school district, legalizing	557, 575, 586, 608
Timberlane school district, organization	203, 210, 211, 216
Tires, standards for	603, 1042, 1137, 1168, 1194, 1307
Total disability, compensation	438, 1040, 1148, 1374
Town elections, time of filing	180, 230, 231, 235, 778, 971
Town meeting, relative to	1035, 1180, 1182, 1220
Town road aid, relating to	969, 1014, 1033, 1043, 1168, 1191
Traffic safety commission, create	1198, 1295, 1296, 1297, 1316
Trailers, length on highways	169, 170, 232, 233, 235, 238
Training, state police	1292, 1349, 1361, 1368, 1371
Transfer attorneys, departments	371, 510, 511, 517, 735
Transfer fee, increase, automobiles	474, 655, 657, 659, 677, 691
Trial, jury, waiver of	380, 443, 444, 446, 468
Trust companies, powers of	170, 325, 1374
Trust funds, unemployment	218, 314, 315, 323, 356, 381, 391
Trustees, Brewster Academy	508, 580, 585, 608
Trustees, compensation	615, 747, 749, 905
Trustees, process	283, 428, 436, 468
Trustees, process, subject to	419, 500, 505, 735, 770

U

Unauthorized use, motor vehicles. 630, 762, 775, 852, 991, 1005, 1304, 1370	
Unclaimed estates, payment from	169, 170, 1214, 1223, 1370
Unemployment compensation, clarify	776, 977
Unemployment compensation, clarify benefits	603, 752, 775, 942, 972
Uniform Commercial Code	388, 413, 414, 418, 463
Uniform vehicle laws	858, 1026, 1206, 1222, 1339, 1370
Unincorporated places	343, 420, 421, 426, 438, 463
Union school district, Concord	399, 466, 467, 469, 492
Union school district, Littleton	130, 195, 196, 202, 250, 253
Unit ownership, real property ... 50, 190, 193, 617, 618, 656, 677, 723	
Unitarian Association, relating to	170, 241, 247, 557, 584
Unitarian Universalist Church	939, 1029, 1031, 1047
United States Army reorganization	543, 544, 552, 553, 554, 715
United States, Expansion cut	1035, 1158, 1159, 1182, 1218
	1221, 1225, 1226, 1371
United States, fiscal agents for ... 236, 237, 304, 305, 309, 318, 343, 349	
United States, prayer amendment. 320, 321, 452, 453, 455, 456, 458, 459	
	460, 462, 631, 632, 661, 662, 995
Units of municipal government, funds.. 380, 537, 544, 562, 563, 587, 608	
University of N. H., board of trustees	304, 407, 411, 494
	495, 523, 546, 569
University of N. H., compensation personnel	527, 698, 786, 964
	966, 1184, 1340
Upper Connecticut River, fishing laws	161, 306, 309, 391, 398
Utilities, credit, relating to	474, 646, 647, 657, 677, 715, 747
Utilities, public, rights of	353, 481, 493, 504

V

Vehicles, lighting of	1001, 1242, 1290, 1370
Venires, jury, issuance of	371, 500, 505, 524, 1058
Veterans Association, favor of	603, 1021, 1034, 1047
Veterans burial expenses payment	353, 450, 451, 465, 467, 474, 492
Veterans, meetings, Hawkers at	677, 697, 698, 713, 748

Violations, penalties for	694, 758, 776, 902, 942, 972
Vocational Education Act, 1963	750, 788, 853, 906
Vocational rehabilitation, appropriation	280, 385, 386, 387, 404
Voluntary corporations, relating to	445, 446, 447, 463
Vote, right to	213, 215, 368, 370, 391
Vote to, reduce requirements	734, 1017, 1033, 1036, 1191
Voting, absentee, elections	50, 265, 266
Voting, machines, lease or purchase	311, 420, 426, 631, 640
Voting, representative districts	1183, 1281, 1283, 1285, 1291, 1302, 1341

W

Waiver of indictment	716, 915, 937, 1217, 1308
Walpole, town, reclassify road	358, 500, 505, 524
Ward boundaries, revise, Nashua	1034, 1137, 1219
Water Pollution Commission, establish	969, 997, 1000, 1044, 1168, 1192
Water Pollution Control, relative to ...	892, 957, 965, 968, 969, 973, 993
Water Pollution Control, state aid	236, 237, 250, 254, 267, 268, 280, 281
Water Resources Board, acquisition, land	419, 915, 936, 1217
Water Resources Board, bond issue	734, 950, 967, 1027
Water Resources Board, contracts with	388, 540, 544, 547, 569
Water Resources, relative to	776, 916, 937, 984, 1032, 1048
Water supplies, future, Manchester	388, 757, 775, 904
Water supply, town Deerfield	418, 592, 601, 627
Waterville, town, legal meetings..	971, 1237, 1239, 1289, 1290, 1303, 1317, 1370
Weights and Measures, inspection fees	750, 1151, 1187, 1219
Welfare department, deficiency appro.	777, 953, 967, 993
Welfare Division, use of federal funds	51, 254, 255
West-East highway, study of	776, 1200, 1221, 1341
Whitefield, town, appropriation for	184, 208, 209, 211, 216
Widows and Orphans, relief for..	295, 337, 338, 341, 355, 356, 381, 391
Widows, tax exemption for	66, 1373
Wild bear, relating to	586, 607, 613, 639, 662, 666
Wills, interpretation of	241, 336, 342, 631
Woman's Aid House, Charter	216, 311, 312, 323, 557, 584
Woodsville Free Library	406, 594, 595, 601, 617, 640
Workmen's compensation, amend	1132, 1159, 1160, 1181, 1308
Workmen's compensation, expenses, burial	438, 1374
Workshop, industrial, to establish	1291, 1359, 1364, 1369, 1371
World War I, veterans burial	353, 415, 418, 445
Wrongful deaths, damages for	633, 747, 770

Z

Zoning appeals	527, 746
Zoning ordinances in towns	714, 914, 937, 1003, 1004 1177, 1178, 1179, 1186, 1340

APPENDIX I

Final Status of Bills and Resolutions

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
1. Classified salaries state employees. (Rinden)	Finance Hrg. 1-14	Passed am. 2-2	Exec. Dept. Hrgs. 2-10 2-17 Am. Adop. 4-6 Approp. Hrg. 4-15	Passed am. 4-27 (S. Conc.)	Engrossed 4-29 APPROVED 4-30 CHAPTER 73
2. Unit ownership of real property. (Lamprey)	Jud. Hrg. 1-26	Passed 2-17	Jud. Hrg. 3-12	Passed am. 5-27 (H. conc.)	Engrossed 6-14 APPROVED 6-15 CHAPTER 155
3. Issuances of summons in criminal matters. (Howard)	Jud. Hrg. 1-26	Passed 2-10	Jud. Hrg. 3-10	Passed am. 3-12. Conf. rept. adop. 3-30	Engrossed 4-1 APPROVED 4-1 CHAPTER 38
4. Delinquent children & procedure in juvenile court. (Waterhouse) (New Title)	Jud. Hrg. 1-28	Passed am. 4-7	Jud. Hrg. 5-25	Passed am. 6-24 (S. conc.)	Engrossed 6-29 APPROVED 7-2 CHAPTER 256
5. Appointment & salaries court stenographers. (Johnson)	Jud. Hrg. 1-27	Passed am. 2-17	Jud. Hrg. 3-24	Passed 3-31	Engrossed 4-6 APPROVED 4-8 CHAPTER 40

6. School boards purchasing accident or injury insurance. (New title) (Buchanan)	Banks Hrg. 2-9	Passed am. 4-21	Ins. Hrg. 5-12	Passed 5-18	Engrossed APPROVED CHAPTER 110	5-20 5-20 110
7. Powers of ballot-law commission. (Johnson)	Exec.Depts Hrg. 2-11	Passed 2-16	Jud. Hrg. 3-30	Passed 4-1	Engrossed APPROVED CHAPTER 59	4-13 4-14 59
8. Absentee voting in primary elections. (Buchanan)	Exec.Depts Hrg. 2-11	KILLED 3-16				
9. Motor vehicle accident reports. (Johnson)	Banks Hrg. 2-9	KILLED 2-16				
10. Immunity from liability in emergency cases. (Buchanan)	Jud. Hrg. 1-28	Passed 2-17	Jud. Hrg. 3-31	Passed 4-6	Engrossed APPROVED CHAPTER 53	4-8 4-14 53
11. Authorize state council on aging to determine purposes for which federal funds may be spent. (Martel)	Pub.Health Hrg. 1-26	Passed 2-24	Pub.Wel.	Passed 3-16	Engrossed APPROVED CHAPTER 12	3-17 3-19 12
12. Women's names on jury lists & exemption of certain persons. (Johnson)	Jud. Hrg. 2-2	Passed 3-3	Jud. Hrg. 4-21	KILLED 4-28		

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
13. Clerk's duties in reference to absentee ballots. (Howard)	Jud. Hrg. 1-26	KILLED 2-10			
14. Change labeling requirements agricultural seeds. (Green)	Agric. Hrg. 2-25	Passed am. 3-2	Agric. Hrg. 3-31	Passed 4-6	Engrossed 4-13 APPROVED 4-14 CHAPTER 60
15. Salaries legislative attaches & service assistants. (Gove)	Finance Hrg. 2-3	Passed am. 2-4	Approp. Hrg. 2-11	Passed am. 2-25 (S.conc.)	Engrossed 3-4 APPROVED 3-8 CHAPTER 4
16. Compensation assistant clerk of Senate. (Johnson)	Finance	Passed 1-21	Approp.	Passed 1-26	Engrossed 1-28 APPROVED 1-29 CHAPTER 1
17. Raise prize limit on beano games. (Howard)	Exec.Depts. Hrg. 5-6	KILLED 7-1			
18. Enlarging advisory commission on health & welfare. (Gardner)	Pub.Health Hrg. 3-10	Passed am. 5-6	Exec.Depts.	KILLED 7-1	
19. Tax exemption for widows of men lost in Thresher. (Foley)	Mil. & Vet. Hrgs. 2-24 4-20, 6-16	KILLED 7-1			

20. Administrative committee of district & municipal courts. (Johnson)	Jud. Hrg. 2-2	Passed 2-10	Jud. Hrg. 3-11 Approp. Hrg. 3-30	Passed 5-26	Engrossed APPROVED CHAPTER 6-8 6-11 137
21. Appeals from district or municipal courts. (Johnson)	Jud. Hrg. 2-2	Passed 3-3	Jud. Hrg. 4-27	Passed am. 4-29 (S. Conc.)	Engrossed APPROVED CHAPTER 5-6 5-11 86
22. Authorize practice mechanical dentistry. (Lamontagne)	Pub.Health Hrg. 2-10	KILLED 2-24			
23. Repealing penalty upon atheists and blasphemers. (Johnson)	Jud. Hrg. 2-9	KILLED 2-17			
24. Personnel & funds for dept.of health & welfare. (Lamprey & Johnson)	Jt.Finance & Pub. Health Hrg. 1-28	Passed am. 2-2	Approp. Hrg. 2-4	Passed am. 2-18 (S.conc.)	Engrossed APPROVED CHAPTER 2-23 2-26 2
25. Deputy city clerk for city of Manchester (Martel)	Special Com. Hrg. 4-5	Passed 4-7	Manchester Del. Hrg. 4-21	Passed 5-27	Engrossed APPROVED CHAPTER 6-2 6-2 463

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
26. Changing date primary elections in Manchester. (Martel)	Special com. Hrg. 4-5	Passed 4-7	Manchester Del. Hrg. 4-21	Passed 5-27	Engrossed 6-8 APPROVED 6-11 CHAPTER 467
27. Adjustments in apportionment public taxes. (Waterhouse)	Exec.Depts. Hrg. 2-11	Passed 2-16	Exec.Depts. Hrg. 3-4	Passed 3-12	Engrossed 3-18 APPROVED 3-19 CHAPTER 15
28. Union School District in Littleton. (Martin)	Educ. Hrg. 2-10	Passed am. 2-18	Educ.	Passed 3-10	Engrossed 3-11 APPROVED 3-12 CHAPTER 420
29. Redistrict state into senatorial districts. (Howard)	Apportionment. Hrg. 2-4	Passed 2-9	Jud. Hrg. 3-17	Passed 6-23	Engrossed 6-24 APPROVED 6-30 CHAPTER 220
30. Requiring marriage counseling. (Rinden)	Jud. Hrg. 2-9	KILLED 7-1			
31. Legalizing Mar.2, 1964 meeting Hanover School District. (Johnson)	Educ.	Passed 2-3	Mun. & County Hrg. 2-11	Passed 2-17	Engrossed 2-18 APPROVED 2-19 CHAPTER 413
32. Listing N.H. liquor products. (Lamontagne)	Liquor Hrg. 2-18	Passed am. 2-25 (title changed)	Liquor Hrg. 3-11	Passed 3-17	Engrossed 3-23 APPROVED 3-25 CHAPTER 20

33. Advertising in publications political parties. (Johnson)	Finance Hrg. 2-11	Passed 2-16	Exec. Depts. Hrg. 3-4 3-25	KILLED 6-25	
34. Repeal special fishing regulation upper Connecticut River. (Riley)	F. & G. Hrg. 3-12	Passed 3-25	F. & G.	Passed 4-13	Engrossed 4-14 APPROVED 4-16 CHAPTER 62
35. Appropriating funds for truck for bureau of weights & measures. (Waterhouse)	Finance	KILLED 6-8			
36. Fiduciary powers of trust companies & national banks. (Buchanan)	Jud. Hrg. 2-23	KILLED 7-1			
37. Time actions must be brought (re) design or construction of improvement real property (Buchanan)	Jud. Hrg. 2-23	Passed 3-10	Jud. Hrg. 4-28	Passed 5-19	Engrossed 5-25 APPROVED 5-28 CHAPTER 118
38. Salaries special justices district courts. (Johnson)	Jud. Hrg. 2-23	Passed am. 3-31	Jud. Hrg. 5-18	KILLED 5-20	

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
39. Salary special justices Hanover District Court. (Johnson)	Jud. Hrg. 2-23	Passed 3-3	Mun. & County Hrg. 5-4	Passed 6-2	Engrossed 6-8 APPROVED 6-11 CHAPTER 138
40. N.H. Unitarian Association. (Gove)	Exec. Depts. Hrg. 3-2	Passed 3-10	Exec. Depts. Hrg. 5-12	Passed 5-19	Engrossed 5-25 APPROVED 5-28 CHAPTER 447
41. Reflectorized number plates for motor vehicles. (Johnson)	Pub. Works Hrg. 4-21	INTERIM STUDY COMMITTEE 6-2			
42. Increase time execution may be issued after judgment. (Johnson)	Jud. Hrg. 2-23	Passed 3-3	Jud. Hrg. 4-27	Passed 4-29	Engrossed 5-4 APPROVED 5-6 CHAPTER 82
43. Laying out class IV, V, and VI highways by cities & towns. (Gove)	Pub. Works Hrg. 4-21	Passed 5-4	Pub. Works Hrgs. 6-3 6-18	KILLED 6-30	
44. Professional engineering. (Johnson)	Exec. Depts. Hrg. 3-2	Passed 3-10	Exec. Depts. Hrg. 5-20	Passed am. 6-9 (S. conc.)	Engrossed 6-17 APPROVED 6-21 CHAPTER 168
45. Time of filing for city & town elections. (Johnson)	Jud. Hrg. 2-23	Passed 3-3	Mun. & County Hrg. 4-22	passed am. 6-16 (S. conc.)	Engrossed 6-23 APPROVED 6-28 CHAPTER 197

46. Prohibiting electioneering on election day.(Buchanan)	Mun. & County Hrg. 3-2	Passed 3-16	Jud. Hrg. 5-5	KILLED 5-20
47. Penalty for taking moose.(Lamontagne) (New Title)	F. & G. Hrg. 3-24	Passed am. 3-30	F. & G.	Engrossed 5-4 APPROVED 5-6 CHAPTER 83
48. Hairdressers.(Blaisdell)	Pub.Health Hrg. 4-1	Passed am. 5-6	Pub.Health Hrg. 5-26	Engrossed 7-1 APPROVED 7-7 CHAPTER 308
49. Hunting with muzzle-loaders. (Riley)	F. & G. Hrg. 4-8	Passed am. 4-28	F. & G.	Engrossed 5-11 APPROVED 5-14 CHAPTER 93
50. Amend Charter of Women's Aid Home.(Martel)	Exec.Depts Hrg. 3-25	Passed 3-30	Exec.Depts Hrgs. 4-22 5-12	Engrossed 5-25 APPROVED 5-28 CHAPTER 448
51. Conveyances & other transfers of buildings on land of another.(Hunter)	Jud. Hrgs. 3-10 3-16 3-23	Passed 3-24	Jud. Hrg. 4-28	Engrossed 5-25 APPROVED 5-28 CHAPTER 119
52. City Manager of Berlin. (Lamontagne)	Exec.Depts. Hrg. 3-25	Passed 3-30	Berlin Del. Hrg. 4-21	Engrossed 5-13 APPROVED 5-18 CHAPTER 439
53. Construction & interpretation of wills.(Rinden)	Jud. Hrg. 3-16	Passed 3-31	Jud. Hrg. 4-28	J.C. 6-1

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
54. Hunting with bow & arrow. (Riley)	F. & G. Jt. Hrg. 4-8	Passed am. 6-3	F. & G.	KILLED 6-30	
55. Justices of dist. courts serving full time becoming judicial referees upon retirement. (Johnson)	Jud. Hrg. 3-30	Passed 3-30	Jud. Hrg. 5-18	KILLED 5-20	
56. Creating separate depts. of parks, rec. & for planning & promotion for economic dev. (Martel)	Exec. Depts. Hrg. 4-27	KILLED 5-6			
57. Power of governor & council to fix salaries of unclassified positions (Rules Com.) (New Title)	Dispensed	Passed 3-24	Exec. Depts. Hrg. 4-15	Passed am. 6-9 Conf. Rept. adop. 6-24	Engrossed 7-1 APPROVED 7-7 CHAPTER 301
58. Taking of deer. (Paquette)	F. & G. Hrg. 5-18	KILLED 7-1			
59. Making approp. for educational television. (English)	Educ. Jt. Hrg. 4-20 Finance Hrg. 6-9	KILLED 7-1			

60. Board of trustees of UNH. (Buchanan)	Educ. Jt. Hrg. 4-15	Passed 4-20	Educ.	Passed am. 5-6 (S. Conc.)	Engrossed 5-20 APPROVED CHAPTER 107
61. Public roads to private rec. areas. (Howard)	Pub. Works Hrg. 5-19	Passed am. 6-2	Res. Rec. & Dev. Hrgs. 6-11, 6-18	Passed 6-23	Engrossed 6-25 APPROVED CHAPTER 228
62. Lease or purchase of voting machines. (Tufts)	Exec. Depts. Hrg. 4-21	Passed 4-22	Mun. & County Hrg. 5-25	Passed 6-1	Engrossed 6-2 APPROVED CHAPTER 134
63. Providing for forfeiture of liquor found in possession of a minor. (Blaisdell)	Liquor Hrg. 4-20	Passed 4-21	Liquor Hrg. 5-5	Passed 5-20	Engrossed 5-25 APPROVED CHAPTER 120
64. Practice of architecture. (Buchanan)	Exec. Depts. Hrg. 4-21	Passed am. 4-27	Exec. Depts. Hrg. 5-20	Passed am. 6-30 (S. conc.)	Engrossed 7-1 APPROVED CHAPTER 328
65. Larceny of rented motor vehicles. (Lamontagne) (Rules)	Pub. Works	Passed 4-14	Transp. Hrg. 4-27	Passed am. 5-6	Engrossed 5-13 APPROVED CHAPTER 100
66. Entering into interstate compact on placement of children. (Gardner)	Pub. Health Hrg. 5-19	Passed 6-1	Pub. Wel. Hrg. 6-10	Passed am. 6-22 Conf. Rept. adop. 7-1	Engrossed 7-1 APPROVED CHAPTER 366
67. Retirement benefits for officials & employees. League N. H. Arts & Crafts, SEFCU, & SEA. (Gove) (New title)	Exec. Depts. Hrg. 5-13	Passed am. 5-25	Exec. Depts. Hrg. 6-3	Passed 6-16	Engrossed 6-21 APPROVED CHAPTER 181

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
68. Increasing the amount of pension towns may grant to certain firemen, police officers, or constables. (Riley)	Exec.Depts. Hrg. 5-6	Passed 5-11	Mun. & County Hrg. 5-27	Passed 6-2	Engrossed 6-8 APPROVED 6-11 CHAPTER 144
69. Summary judgment. (Rinden)	Jud. Hrg. 4-20	Passed am. 4-28	Jud. Hrg. 5-21	Passed 5-27	Engrossed 6-8 APPROVED 6-11 CHAPTER 139
70. Dairy herds at N.H. Hospital and N.H.State Sanatorium. (Gardner)	Finance Hrg. 4-29	L.C. 6-22			
71. Establishing a new positions committee relative to the classified service. (Gardner)	Exec.Depts. Hrg. 5-13	Passed am. 6-8	Exec.Depts. Hrg. 6-22	KILLED 7-1	
72. Transfer of attorneys between departments. (Gardner)	Exec.Depts. Hrg. 5-6	Passed 5-12	Jud. Hrg. 6-2	KILLED 6-14	
73. Require continuing chiropractic education. (Gardner & Provost)	Pub.Health	KILLED 7-1			
74. Placing a person on probation. (Johnson)	Jud. Hrg. 4-20	Passed am. 4-28	Jud. Hrg. 5-21	Passed 5-27	Engrossed 6-2 APPROVED 6-2 CHAPTER 133

75. Manner of serving terms of imprisonment. (Johnson)	Jud. Hrg. 4-20	Passed 5-19	Jud. Hrg. 6-9	J.C. 6-21	
76. Exemption from tax on neat stock and poultry. (Mitchell)	Ways & Means	Passed 5-25	Ways & Means Hrgs 6-9, 6-14	Passed 6-25	Engrossed 6-29 APPROVED 7-2 CHAPTER 264
77. Improvement for small boating of back channels of Portsmouth Harbor. (Hunter)	Res.Rec.& Dev. Hrg. 5-20 Am. Finance Hrg. 6-3	Passed am. 6-23	Approp.	Passed 7-1	Engrossed 7-1 APPROVED 7-8 CHAPTER 367
78. Early land acquisition & disposition in connection with redevelopment projects. (Green & Martel)	Jud. Hrgs. 4-20 5-4	KILLED 7-1			
79. Grants in aid to cities and towns in lieu of taxes on state property. (Rinden)	Ways & Means Hrgs. 5-20, 6-8 Finance Hrg. 6-16	Passed 6-29	Approp.	KILLED 7-1	
80. Guaranteed loans to students for higher education. (Johnson)	Educ.Jt. Hrg. 5-19 Finance Hrg. 6-3	Passed am. 6-7	Educ.	Passed am. 6-24 (S. conc.)	Engrossed 6-29 APPROVED 7-2 CHAPTER 266

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
81. Establishment of state rifle range. (Riley)	Res. Rec. & Dev. Jt. Hrg. 5-20 Finance Hrg. 6-3	Passed am. 6-23	Approp. Hrg. 6-30	Passed am. 6-30 (S. conc.)	Engrossed 7-1 APPROVED 7-8 CHAPTER 340
82. Planning for future development of Great Bay. (Hunter)	Res. Rec. & Dev. Hrgs. 5-20, 5-26 Finance Jt. Hrg. 6-3	Passed am. 6-23	Approp. Hrg. 6-28	Passed 6-30	Engrossed 7-1 APPROVED 7-8 CHAPTER 329
83. N.H. State Port Authority & operation of air navigation & land transportation facilities. (Hunter) (New Title)	Res. Rec. & Dev. Jt. Hrg. 6-3	Passed am. 6-16	Claims & Aero. Hrg. 6-24	Passed 6-28	Engrossed 6-30 APPROVED 7-6 CHAPTER 278
84. Requiring reporting by physicians & institutions of certain physical abuse of children. (Johnson)	Jud. Hrg. 5-4	Passed am. 6-1	Jud. Hrg. 6-11	Passed 6-21	Engrossed 6-23 APPROVED 6-28 CHAPTER 193
85. Hampton municipal development authority. (Hunter)	Res. Rec. & Dev. Jt. Hrg. 6-3	Passed 6-16	Mun. & County Hrg. 6-23	Passed 6-25	Engrossed 6-29 APPROVED 7-2 CHAPTER 491

86. Changing part of boundary line between Auburn & Hooksett. (Waterhouse & Riley)	Exec.Depts. Passed am. Hrg. 5-6 5-11	Mun. & County Hrg. 5-27	Passed 6-8	Engrossed 6-14 APPROVED 6-15 CHAPTER 469
87. Compensation of policemen of Portsmouth. (Hunter & Foley)	Exec.Depts. Passed Hrg. 5-6 5-11	Portsmouth Del. Hrg. 5-25	Passed 5-27	Engrossed 6-2 APPROVED 6-2 CHAPTER 464
88. Naming Strawberry Bank Bridge. (Hunter)	Pub.Works Hrg. 5-19 7-1			
89. Make salary of city, town & school district employees subject to trustee process. (Rinden)	Jud. Hrg. 5-4 Passed 5-11	Jud. Hrg. 6-2	Passed 6-14	Engrossed 6-16 APPROVED 6-22 CHAPTER 171
90. Raising maximum amt. of group life ins. allowed to be written for 2 or more employees in same industry or 2 or more labor unions. (Buchanan & Gove)	Banks Hrg. 5-11 Passed 5-12	Ins. Hrg. 5-26	Passed am. 6-17 Conf. Rept. adop. 6-23 254	Engrossed 6-30 APPROVED 7-2 CHAPTER 254
91. Acquisition of land & dams by water resources board. (Gove)	Res.Rec. & Dev. jt. Hrg. 6-3 Passed 6-22	Res.Rec. & Dev.	KILLED 6-30	

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
92. Costs in actions against sureties. (Rinden)	Jud. Hrgs. 3-4, 5-25	KILLED 7-1			
93. Taxation of property of Mt. Washington Cog Railway. (Johnson) (New Title)	Ways & Means Hrg. 5-19	Passed am. 6-2	Ways & Means Hrg. 6-21	Passed 6-25	Engrossed 6-29 APPROVED 7-2 CHAPTER 251
94. Amending charter of Nashua trust company. (Buchanan)	Banks Hrg. 5-4	Passed 5-6	Banks Hrg. 5-19	Passed 5-25	Engrossed 5-27 APPROVED 5-28 CHAPTER 456
95. Expenses of burial in workmen's comp. (Johnson)	Labor Jt. Hrgs. 5-12 5-25	KILLED 7-1			
96. Compensation for total disability. (Johnson)	Labor Jt. Hrgs. 5-12 5-25	KILLED 7-1			
97. Creating state commission on arts. (Johnson)	Exec. Depts. Hrgs. 5-6 5-20	Passed am. 5-26	Educ. Jt. Hrg. 6-15	Passed 6-21	Engrossed 6-23 APPROVED 6-28 CHAPTER 194
98. Manchester police relief association. (Martel)	Exec. Depts. Hrgs. 5-20 5-25	Passed 5-25	Manchester Del.	Passed 5-27	Engrossed 6-2 APPROVED 6-2 CHAPTER 465

99. National system of interstate & defense highways. (Johnson) (Rules)	Pub.Works Hrg. 6-15	Passed 6-22	Pub.Works	KILLED 7-1	
100. Appointment of process agent by foreign corporation (Johnson) (Rules)	Jud. Hrg. 5-18	Passed 5-19	Jud. Hrg. 6-10	Passed 6-15	Engrossed 6-23 APPROVED 6-28 CHAPTER 198
101. Recognition of certain marriages performed out of state. (Lamontagne)	Jud. Hrgs. 5-18, 6-1	Passed 6-2	Jud. Hrg. 6-11	Passed am. 6-24 (S. Conc.)	Engrossed 6-29 APPROVED 7-2 CHAPTER 252
102. Increasing number of fire commissioners for Manchester. (Provost)	Manchester Del. Jt. Hrgs. 5-26 6-1	Passed am. 6-16	Manchester Del.	KILLED 6-24	
103. Increasing number of highway commissioners for Manchester. (Provost)	Manchester Del. Jt. Hrgs. 5-26 6-1	Passed am. 6-16	Manchester Del.	KILLED 6-24	
104. Regulate practice of land surveying. (Hunter)	Exec. Depts. & Finance Hrg. 5-27	Passed am. 6-22	Jud. Hrg. 6-25	KILLED 6-30	
105. Raising min. age for holding license to operate motor vehicle to 18 & providing for exceptions thereto. (Riley)	Pub. Works Hrg. 6-2	Passed 6-8	Transp. Hrg. 6-16	KILLED 6-30	

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
106. Referendum re Coos County court house. (Lamontagne)	Exec.Depts. Hrg. 6-10	KILLED 6-15			
107. Establishing committee to investigate relationship between salaries of personnel UNH, Keene, & Plymouth State Colleges & classified state employees & effect of hiring of retired persons in classified service. (Johnson) (Rules) (New Title)	Exec.Depts. Hrg. 5-27	Passed am. 6-23	Exec.Depts. Hrg. 6-29	Passed am. 6-29 (S.Conc.)	POCKET VETOED 7-8
108. Disposition of seized illegal game. (Lamprey)	F. & G.	Passed 6-30	F. & G.	KILLED 7-1	
109. Firemen's retirement system. (Buchanan)	Exec.Depts. Hrg. 5-27	Passed 6-1	Exec.Depts. Hrg. 6-15	Passed 6-22	Engrossed 6-23 APPROVED 6-30 CHAPTER 211
110. Establishing Bristol District Court. (Johnson) (Rules)	Jud.Hrgs. 5-25, 6-1	Passed 6-15	Jud. Hrg. 6-17	KILLED 6-28	

111. Providing for certain deductions from retirement for firemen. (Gove) (Rules)	Exec.Depts. Hrg. 5-27	Passed 6-1	Exec.Depts. Hrg. 6-15	Passed 6-24	Engrossed APPROVED CHAPTER 244
112. Powers & duties of aero. commission. (Foley) (Rules)	Pub.Works Hrg. 6-23 Finance Hrg. 6-25	Passed am. 6-30	Claims & Aero.	KILLED 7-1	
113. Funds deposited with superior court. (Hunter) (New Title)	Jud.Hrgs. 5-25,6-1	Passed am. 6-16	Jud. Hrg. 6-23	J.C. 6-28	
114. Zoning appeals. (Buchanan)	Jud.Hrgs. 5-25,6-1	J.C. 6-15			
115. Improve administration of resources & economic development. (O'Gara et al)	Exec.Depts. & Finance Hrg. 6-2	Passed am. 6-10	Res.Rec.& Dev. Jt. Hrg. 6-21	Passed am. 6-29 (S.conc.)	POCKET VETOED 7-8
116. Adoption, administration & enforcement of housing codes by municipalities & appellate procedures in relation thereto. (Greene & Martel)	Exec.Depts. Hrg. 6-10	Passed 6-15	Jud. Hrg. 6-21	Passed am. 6-30 (S.conc.)	Engrossed APPROVED CHAPTER 341

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
117. House boats on Conway Lake & Silver Lake in Madison. (Lamprey) (New Title)	Res. Rec. & Dev. Jt. Hrg. 6-15	Passed am. 6-23	Res. Rec. & Dev.	Passed 6-30	Engrossed 7-1 APPROVED 7-7 CHAPTER 309
118. Authorizing Hampton to increase maximum salary of Justice Hampton District Court. (Hunter) (New Title)	Jud. Hrgs. 6-1, 6-8	Passed 6-15	Jud. Hrg. 6-17	Passed am. 6-28 (S. conc.)	Engrossed 6-30 APPROVED 7-7 CHAPTER 294
119. Compensation for federal customs officer at Berlin municipal airport. (Lamontagne)	Finance Hrg. 6-9	Passed 6-29	Approp.	KILLED 7-1	
120. Offensive advertising viewed from public highway. (Riley)	Jud. Hrg. 6-8	Passed 6-9	Jud. Hrg. 6-17	KILLED 6-24	
121. Limitation on damages recoverable for wrongful deaths. (Johnson)	Jud. Hrg. 6-8	KILLED 6-16			
122. Inheritance taxes. (Johnson)	Jud. Hrg. 6-8	KILLED 7-1			
123. Fees for motor vehicle permits. (Johnson)	Exec. Depts. Hrg. 6-17	L. C. 6-23			

124. Changing date on which tax collectors' deeds become incontestable. (Martel)	Jud. Hrg. 6-15	Passed 6-17	Mun. & County Hrg. 6-23	Passed 6-25	Engrossed 6-29 APPROVED 7-2 CHAPTER 253
125. State employees' retirement system. (Lamprey)	Exec. Depts. Hrg. 6-17	Passed am. 6-21	Exec. Depts. Hrg. 6-30	Passed 6-30	Engrossed 7-1 APPROVED 7-7 CHAPTER 310
126. Absentee voting at annual elections Berlin. (Lamontagne)	Exec. Depts. Hrg. 6-24	Passed 6-25	Jud. Hrg. 6-29	Passed 6-30	Engrossed 7-1 APPROVED 7-8 CHAPTER 498
127. Annex part of Berlin to unincorporated place of Success. (Lamontagne)	Exec. Depts. Hrg. 6-19	L. C. 6-25			
128. Waiver of indictment. (Rinden)	Jud. Hrg. 6-17	Passed 6-22	Jud. Hrg. 6-25	Passed 6-30	Engrossed 7-1 APPROVED 7-7 CHAPTER 302
129. Providing that abandoned railroad rights of way shall be retained for equitation & pedestrian uses only. (Hunter)	Jud. Hrg. 6-22	Passed 6-24	Res. Rec. & Dev. Jt. Hrg. 6-28	KILLED 6-30	
130. Filing dates in primaries. (Johnson)	Jud. Hrgs. 6-24, 6-28	Passed am. 6-28	Jud.	Passed 6-30	Engrossed 7-1 APPROVED 7-8 CHAPTER 313

SB - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
131. Legalize proceedings annual meeting of Hooksett School District. (Riley)	Dispensed	Passed 6-21	Mun. & County Hrg. 6-23	Passed 6-25	Engrossed 6-29 APPROVED 7-2 CHAPTER 492
132. Legalizing proceedings special meeting Amherst School District. (Buchanan)	Dispensed	Passed 6-21	Educ. Hrg. 6-25	Passed 6-29	Engrossed 6-30 APPROVED 7-6 CHAPTER 493
133. Temporary loans in anticipation of incurrence of long term debt. (Rules)	Exec.Depts. Hrgs. 6-25 6-28	Passed 6-28	Exec.Depts.	Passed 6-30	Engrossed 7-1 APPROVED 7-8 CHAPTER 322
134. Grant immunity in prosecutions from mob action. (Johnson)	Jud. Hrg. 6-28	Passed am. 6-30	Jud.	KILLED 7-1	
135. Regulate motorcycle & motor vehicle races & related matters. (Martel)	Jud. Hrg. 6-28	J.C. 6-30			
136. Rental of certain accommodations to minors under 21. (Martel)	Jud.	Passed am. 6-30	Jud.	KILLED 7-1	

137. Restricting practice
of law by persons not
having been lawfully
admitted to practice.
(Johnson)

Jud.

J.C. 6-29

SENATE JOINT RESOLUTIONS

SJR - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
1. Henry Junior Cassidy (Rinden)	Banks Hrg. 2-9	Passed 2-16	Claims & Aero. Hrg. 4-8	KILLED 4-22	
2. Authorizing div. of welfare to use certain federal funds. (Howard)	Pub.Health Hrg. 1-26	KILLED 3-12			
3. Access road from Route 16 to land of Fred Nason. (Lamprey)	Pub.Works Hrg. 3-23	KILLED 4-15			
4. Reimburse Hancock for overpayment of county taxes. (English)	Banks Hrg. 2-3	Passed 2-4	Approp.	Passed 2-23	Engrossed 3-2 APPROVED 3-3 CHAPTER 379
5. Reimburse legislators for attendance at National Legislative Leaders Conference. (Buchanan)	Finance Hrg. 2-18	Passed 2-24	Approp. Hrg. 6-15	KILLED 7-1	
6. Eva Tenofsky. (Green)	Finance Hrg. 3-4	KILLED 4-6			

7. Marguerite Ferry (Paquette)	Jud. Hrgs. 3-30 4-13, 4-20 5-4, 5-11	KILLED 5-19				
8. Establishing special legislative committee re health & welfare. (Johnson)	Dispensed	Passed 3-24	Dispensed	Passed 3-24	Engrossed APPROVED CHAPTER 381	3-30 4-1 381
9. Richard J. Houle. (Martin)	Banks Hrg. 5-11	Passed 5-12	Claims & Aero. Hrg. 6-3	Passed 6-10	Engrossed APPROVED CHAPTER 392	6-15 6-16 392
10. Estate of Louis W. Paquette. (Martel) (Rules)	Banks Hrg. 5-25	Passed 5-26	Claims & Aero.	KILLED 7-1		
11. Violet G. Lemon. (Buchanan) (Rules)	Exec. Depts. Hrg. 5-27	Passed 6-1	Exec. Depts. Hrg. 6-15	Passed 6-22	Engrossed APPROVED CHAPTER 398	6-23 6-28 398
12. George W. LaRocque. (Lamontagne)	Banks Hrg. 5-25	Passed 6-1	Claims & Aero. Hrg. 6-17	KILLED 6-28		
13. Leonard B. Greene. (Bergeron)	Banks Hrg. 6-8	Passed 6-9	Claims & Aero. Hrgs. 6-17 6-22	KILLED 7-1		

SJR - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
14. Leon R. Parent & Basil Connolly. (Lamontagne) (New Title)	Banks Hrg. 6-15	Passed am. 6-17	Claims & Aero. Hrg. 6-24	Passed 6-28	Engrossed 6-30 APPROVED 7-6 CHAPTER 406
15. Richard C. Lassar. (Lamontagne)	Banks Hrg. 6-15	Passed 6-17	Claims & Aero. Hrg. 6-24	Passed 6-28	Engrossed 6-30 APPROVED 7-6 CHAPTER 407

SCR - Title - Sponsor	S. Com.	S. Action	H. Com.	H. Action	FINAL ACTION
4. Proposing Constitutional amendment re filling senatorial vacancies. (Foley) (SJ 1389)	Jud.	J.C. 6-30			
2-11. Manner of amending Federal Constitution. (Johnson) (SJ 198-199)	Interstate Cooperation Hrg. 6-28	Passed 6-30		NO RECORD OF ACTION	
3-30. Applying to Congress to call convention for purpose of proposing an amendment to U.S. Constitution re prayers in public schools, etc. (Rinden) (SJ 453)	Jud. Hrg. 4-13	Passed am. 4-29	Jud. Hrg. 5-14	Passed am. 6-1 HJ 1688 S. non-conc Conf. Com. could not agree.	
5-18. Opposing proposed merger & reorganization & U.S. Army Reserve & National Guard. (Buchanan) (SJ 791)	Dispensed	Passed 5-19	Mil. & Vet. Hrg. 6-8	Passed 6-10	ADOPTED

5-27. Petition Congress to propose amendment to U.S. Constitution providing for refund to each state of 10% of federal taxes collected therein. (Rinden et al) (SJ 891)	Ways & Means Hrg. 6-15	Passed 6-21	Ways & Means Hrg. 6-28	Passed 6-30	ADOPTED
6-22. Congratulating Senators McIntyre, Cotton & Congressman Huot for good work in obtaining exemption for N.H. Sweepstakes from federal taxation on Excise Tax Reduction Act. (Martel) (SJ 1282)	Dispensed	Passed 6-22		NO RECORD OF ACTION	
6-28. Securing rights & benefits to Authors. (Copyright law) (Johnson & Gardner) (SJ 1448)	Dispensed	Passed 6-28	Dispensed	Passed 6-30	ADOPTED
7-1. Creating Labor-Management Council. (Lamprey & Martel) (SJ 1634)	Dispensed	Passed 7-1	Dispensed	Passed 7-1	ADOPTED





